

A
DISCOURSE
Concerning the
LAWS
Ecclesiastical & Civil
Made against
HERETICKS

BY
POPES, EMPERORS and KINGS,
Provincial and General Councils,

Approved by
The CHURCH of ROME:

SHEWING,

- I. What *Protestant Subjects* may expect to suffer under a *Popish Prince* acting according to those Laws.
- II. That no *Oath* or *Promise* of such a *Prince* can give them any just Security that he will not execute these Laws upon them.

By a Divine of the Church of *ENGLAND*.

Tantum Religio potuit suadere malorum, Lucret.

LONDON,
Printed for *T. Basset*, at the George in *Fleet-street*, 1689.

THE
CONTENTS
OF THE
DISCOURSE.

§. I. **T**HE Heads to which the Laws
made against Hereticks may be
reduced, page 2.

§. II. The Endeavors which are, or have
been used by the Church of Rome to pre-
serve her Members from that which she is
pleased to call Heresie, are, 1. Binding
all her Males at Fourteen, and Females
at Twelve, to abjure all Heresie: 2. And
also Governors to doe the same: 3. For-
bidding Lay-men to dispute publicly or
privately touching the Catholick Faith;
and, 4. Withholding from them the Books
of the Old and of the New Testament:
That hence we have great reason to suspect
the Truth of that Religion,

A

p. 3, 4.
§. III.

The Contents of the Discourse.

§. III. *The Care they take for discovering and apprehending Hereticks,* pag. 5.

§. IV. *The Persons authorized for this Work, viz. Inquisitors, Archbishops, Bishops, Abbots, and the Assistance they must have from Civil Governors: They have Power to require the Magistrates Assistance in enquiring after, taking and spailing Hereticks: to compell all the Neighborhood to swear to enquire after, and, if they know of any Hereticks, to endeavor to give notice of them, and secure them. All Earls, Barons, Rectors and Consuls, &c. must also swear efficaciously to assist the Church according to their power in this Work,* p. 6, 7.

§. V. *These Laws are made, or, being made by others, are confirmed by their approved General Councils; who also give power to these Inquisitors, Archbishops, &c. to require a Corporal Oath upon the Reliques of the Saints, or a Crucifix from all whom they suspect of Heresie, to answer to Questions containing all the Romish*

The Contents of the Discourse.

with Superstition ; *and , if they will not undergo this Canonical Purgation , to condemn them as Hereticks : they give this Power to them in all Places , and over all Persons of what Dignity soever ,* p. 8,
9, 10, 11.

§. VI. *When they are discovered and apprehended , they and their Favorers must be excommunicated , their Goods confiscated , the Houses in which they are found must be destroyed , their Persons must be imprisoned : When they have them in Prison , they may use any Cruelty which doth not diminish their Members or endanger their Death , to make them to confess their Errors , or accuse others ,* p. 12, 13.

§. VII. *They must be banished or exterminated out of all Places : All Secular Powers must swear to expell Hereticks out of their Dominions , with all their Favorers , and set forth Edicts to this effect ,* p. 13, 14.

§. VIII. *If any Governor permit them to abide there , he must be excommunicated ,*
A 2 be

The Contents of the Discourse.

*be deem'd a Favourer of Hereticks, and
lose his Dominions,* p. 15.

§. IX. *All these Constitutions are confirmed
by the approved General Councils of the
Romish Church, and are by them exten-
ded to Kings, Emperors, and Supreme
Governors; who must lose their Territo-
ries if they doe it not,* p. 16, 17, 18, 19.

§. X. *These General Councils encourage men
to butcher Hereticks, not onely by invo-
king the Secular Arm against them, but
also by promising Remission of Sins and
a great Reward hereafter to all that fight
against. and labor to destroy them,* p. 20,
21, 22.

§. XI. *Hereticks and their Abettors must be
punished with Death; and if after Death
they appear to have been Hereticks, their
Bodies must be digg'd up,* p. 22, 23.

§. XII. *All Governors must execute these
Punishments upon them without delay, re-
laxation or enquiry into the Justice of them,*
p. 24.

§. XIII.

The Contents of the Discourse.

§. XIII. *Every Governor must have a Copy of these Laws, he must not alter or diminish them, but must abolish all Statutes contrary to them,* p. 24, 25.

§. XIV. *At their Admission they must swear to execute them; and, if they be remiss in doing it, they must lose their Office, be excommunicated, and their Jurisdiction interdicted,* p. 25, 26, 27.

§. XV. *They who will not execute this Sentence must be proceeded against by Ecclesiastical Censures as Favorers of Hereticks: And the Bishop who is remiss in these Matters must be deposed from his Office: All Believers, Favorers, Defenders of them are subject to very grievous Punishments, and must be punished as Hereticks,* p. 27, 28.

§. XVI. *Such are they who believe, that they, who by the Church of Rome are called Hereticks, may be saved, or that they who prosecute them do offend: The most Infamous Person may accuse a Heretick; And*

The Contents of the Discourse.

the Heretick must not know who doth accuse him, p. 28, 29.

§. XVII. *Examples of Princes and Civil Governors deprived of their Dominions, as being Hereticks, or Favorers of Heresies, or remiss in punishing them,* p. 29, 30, 31, 32, 33.

§. XVIII. *The Concernment of the Church in these Actions of the Pope,* p. 33, 34.

§. XIX. *No Popish Prince can give Security to his Subjects that he will not proceed against them according to these Laws;*
1. *Because, being Papists, it may rationally be presumed they will act, according to the Convictions of their Consciences, as such:* 2. *Because they are subject to a Superior Tribunal which can overrule their Promise, and can absolve them from their Oaths, and which hath actually judged, that they ought not to be kept; and because it is an Unlawfull Promise, and made concerning a Spiritual Cause, in which they must not intermeddle: They who have actually made this Promise,*
mise,


The Contents of the Discourse.

mise, *have not perform'd it*, p. 34,---59.

§. XX. *All this is confirm'd by the Proceedings of the General Council of Constance,* p. 59,-----63.

§. XXI. *The Character of a Popish Prince given in the Expressions of their Councils, or sutable to their Decrees,* p. 63,64.

§. XXII. *The Conclusion,* p. 64, &c.



The

The Contents of the Discourse.

the Heretick must not know who doth accuse him, p. 28, 29.

§. XVII. *Examples of Princes and Civil Governors deprived of their Dominions, as being Hereticks, or Favorers of Heresies, or remiss in punishing them,* p. 29, 30, 31, 32, 33.

§. XVIII. *The Concernment of the Church in these Actions of the Pope,* p. 33, 34.

§. XIX. *No Popish Prince can give Security to his Subjects that he will not proceed against them according to these Laws;*
1. *Because, being Papists, it may rationally be presumed they will act, according to the Convictions of their Consciences, as such:* 2. *Because they are subject to a Superior Tribunal which can overrule their Promise, and can absolve them from their Oaths, and which hath actually judged, that they ought not to be kept; and because it is an Unlawfull Promise, and made concerning a Spiritual Cause, in which they must not intermeddle:*
They who have actually made this Promise,


The Contents of the Discourse.

mise, *have not perform'd it*, p. 34,---59.

§. XX. *All this is confirm'd by the Proceedings of the General Council of Constance,* p. 59,-----63.

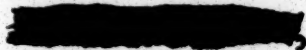
§. XXI. *The Character of a Popish Prince given in the Expressions of their Councils, or sutable to their Decrees,* p. 63,64.

§. XXII. *The Conclusion,* p. 64, &c.



The *Errata's* in the Discourse are,

Page 3. lin. 18. *this*, r. *the*. p. 9. l. 6. marg. *confessali*, r. *fati*. p. 13. l. 27. *received*, r. *renewed*. p. 20. l. 9. *confirming*, r. *confirms*. p. 23. l. 2. *Naturani*, r. *Pat*. p. 37. l. 2. *dele* He. p. 44. marg. l. 13. *fungabantur*, r. *batur*. p. 60. marg. *emittimus*, r. *committ*. p. 67. l. 13. *manly*, r. *manfully*.



Page 3. l. 24, 25. *the Church*, r. *the R. Church*. p. 10. l. 1. *overthrow* r. *threw*. p. 20. l. 24. *another*, r. *another's*. p. 46. l. 11. *the Ch.* r. *that Church*.

(1)

A
DISCOURSE
Concerning the
LAWS
Ecclesiastical and Civil
Made against
HERETICKS
BY
POPES, EMPERORS, &c.

MANY of late have excellently discoursed of those Doctrines of the *Romish Faith*, which, when believed and practised, must be highly prejudicial to, or be sufficient to disturb all civil Governments; and have demonstratively proved, that men whose Consciences are guided by the *Romish Casuists*, or who have heartily embraced the *Principles* of that *Religion*, can give us no security that they will not disturb the Government by which they are protected: But few (if any) have of late made it professedly their business to speak of what may be expected by such as they are pleased to call *Hereticks*, when they are so unhappy as to be subject to a *Prince* who hath embraced the *Romish Faith*, and

B

to

to a *Clergy* which doth own the *Principles* of that *Communion*; which being in this present Juncture of Affairs a most important Subject, I hope it will not seem either unseasonable or unprofitable to discourse briefly on that head. Now what such persons may expect to suffer we may learn from what already hath been decreed by them concerning *Hereticks*, and what they have already practised.

§. I. The *Laws Ecclesiastical and Civil* made against *Hereticks*, by *Popes, Kings, Emperors, and Councils*, may be reduced to these Heads; 1. Laws made for the Preservation of the Members of the *R. Church* from falling into that which they call *Heresie*; 2. The Laws made for the Discovery of *Hereticks*, their Favourers, Abettors, or such as they suspect to be inclinable to *Heresie*; now they are either such as do empower Persons to be active in enquiring after them, and do encourage them to make Discoveries of this nature, or such as lay an Obligation on them to be diligent in making these Enquiries and Discoveries, and upon others to assist them in so doing. Or, 3. Laws which concern the Punishment of *Hereticks* discovered so to be, and the Engagement which they lay upon men to execute these Punishments upon them.

§. II. And, 1. So conscious are the *Romish Prelates* of the gross Absurdity and the apparent Folly of their own Doctrine, and the plain Contradiction that it bears, in many of its *Articles*, to Scripture and the clearest Reason, that they dare not permit the meanest members of their *Church* to look into the *Scripture*, or make Inquiry or Search into the *Articles* of
their

their Faith; or trust a Child of twelve years old without an Oath to bind him firm unto their Superstitions.

And therefore, 1. It hath been decreed by many of their Councils, *That all Males at fourteen, and Females at twelve years of Age, shall abjure all Heresie extolling it self against the Holy Catholick R. Church and Orthodox Faith, and shall swear also, that they will hold the Catholick Faith which the Roman Church teacheth and holds.* This is determined by a Council of many Bishops and Prelates met at Tolose in France, An. D. 1229. Can. 12. by a Council held at Beziers, A.D. 1246. Can. 31. by a Council of many Bishops and Prelates held at Alby in France, Can. 11, 12. Moreover this Oath, by the Decrees of the Council of Tolose and Alby is to be renewed upon them every two years. And, "All that do come in, and "confess their Heresie, must take the same Oath, saith this Council of Beziers, Can. 5.

Concil. To. XI.
part. 1. p. 430.
p. 693. p. 722,
724, 725.

Ibid.

2. "All Consuls, Governours of Castles, Authorities, "and Barons, must be compelled by Ecclesiastical Censure to abjure Hereticks, with the Favourers and "bettors of them, saith the Provincial Council of Narbon, Can. 15.

Concil. To. XI.
p. 308.

3. "No Lay-man, upon penalty of Excommunication, must dispute publicly or privately touching "the Catholick Faith, saith Nicholas the Third, Const. 2. §. 19.

Bullar. Rom. To.
I. p. 182.

4. "No Lay-man must have any Books of the Old "or New Testament, except the Psaltery, the Breviary, and the Hours of the Blessed Virgin (three New Testament Books of the Roman Edition) "any of "which they must by no means have in the Vulgar "Tongue, saith the Council of Tolose, Can. 14.

Concil. To. XI.
p. 430.

And surely such unworthy Arts do give just Reason

1 Pet. 3. 15.

2 Tim. 3. 15.

Deut. 6. 7.

Esa. 8. 20.

Joh. 5. 39.

2 Tim. 3. 15.

Act. 17. 11.

2 Cor. 3. 12.

son to all considering persons to suspect the Truth of that *Religion* which needeth thus to be supported by *Oaths* and *Abjurations* made by *Children* ; by stopping of mens mouths, and not permitting them to ask that *Reason of their Faith* which all men are obliged by their *Christianity* to be *in readiness to give to all that ask it* ; and by withholding of those *Scriptures* of the *Old Testament* which are able to make them wise unto *Salvation* ; which by the *Law of Moses* were to be continually read unto, continually talk'd of by the *People* ; to which they, by the *Prophets* , were advised to go, and by which to pass Judgment on those who spake unto them of *Religious matters* ; which our Lord doth enjoin them both to hear and *search* ; as also his Apostles did, commending them who *from their youth had known*, and who upon occasion *search the Scriptures* ; and also those of the *New Testament* , which were on purpose writ in the most vulgar Language of the *World*, that all might know them, and in *great plainness of speech*, that they might understand them ; and which were left to be a *Rule of Faith and Manners* to all succeeding *Generations* , which the *Primitive Fathers* do vehemently commend to the perusal of all *Christians* , and which the *Heathen Persecutors* , as fiercely as the *Roman Catholicks* , did strive to wrest out of their hands.

§. III. 2. If notwithstanding all this Care to keep them ignorant and blind, some by the strength of natural Reason and *Religion*, and others by conversing with men of better Principles, or reading that so pestilent, and therefore carefully forbidden Book, the *Word of God* , come to the knowledge of his Truth , and be convinced

convinced of the *Superstitions* and *Follies* of the *Roman* Doctrines, and so become, according to their notions, *Hereticks*. 1. All imaginable Care is used that they may not escape their *Hellish* Cruelty, nor find a corner in *Villages* or *Woods*, above or under ground, which may preserve them from their Fury. And therefore,

2. For the better discovering and apprehending of *Hereticks*, and those who favour and abet them, or are suspected of these matters, they have these following Persons authorised for that Work.

1. *Inquisitors* of *Heretical* Pravity constituted by his Holiness for that End. v. *Leg. Fred.* 2.

Concil. To. XI.
p. 619.

2. *All Archbishops and Bishops in their respective Provinces and Diocesses, with their Officials and Vicars.* And,

The Bull of
Martin the Fifth
published with
the consent and
approbation of
the general

Council of *Constance* begins thus, *Martinus Episcopus— Archiepiscopis, Episcopis ac Inquisitoribus Heretica Pravitatis ubilibet constitutis.* Bin. To. 7. p. 1119.

3. *Abbots within their Precincts.* And,

4. For the Assistance of these persons, “ every Governour or Magistrate throughout Lombardy and Italy is bound to keep twelve honest men, two Notaries, and as many Servants as the Bishop, or two of the Brethren Inquisitors shall think fit, who shall be bound to search after, apprehend *Hereticks*, or bring them within the power of the *Diocesan*, or his *Vicars*, and to require all persons to assist them in so doing. *Constit. Innocentii Quarti, cap. 3, 4. Clem. 4. Const. 13. Leg. 3.*

Concil. 20. XI.
p. 605.

Bullar. Rom.
To. 1. p. 173.

These are the persons authorised by as good Authority as the Court and Church of Rome hath any, to discover and apprehend the *Heretick* and his *Abbettors*. And their Commission is exceeding large. For,

- §. IV. 1. " If the *Bishop*, his *Vicar*, the *Inquisitor*,
 " or these 12 *Officers* require it, the *Magistrate* must
 " assist them in enquiring after, taking and spoiling
 " *Hereticks*, by sending *Souldiers* with them; this
 " must be done by *Cities* under the Penalty of 100 *li.*
 " by *Villages* under the Penalty of 50 *li.* by private
 " persons under the Penalty of 25 *li.* *Const. Innoc. IV.*
Concil. To. XI. *cap. 19.* By the Constitutions of *Clement* the Fourth
p. 606. every Governour and private person is bound to as-
 " sist the *Inquisitors* and *Officials* of the *Bishop* and his
Bullar. Rom. To. I. *Visitor* to apprehend *Hereticks.* *Const. 13. L. 18.*
p. 174.
2. " They also have Power to compell all the
 " neighbourhood to swear, that if they know of any
 " *Hereticks*, or any that keep *secret Conventicles*, or
 " any that believe, defend, receive or favour *Here-*
 " *ticks*, they will endeavour to give notice of them
 " to the *Inquisitors* appointed by the *Apostolick See.*
Concil. To. XI. *Const. Innoc. IV. cap. 30.* The Council of *Tolose*, *Can. 1.*
p. 608. decrees, " That the *Archbishops* and *Bishops* shall,
 " in every *Parish* within their *Cities* and without,
 " bind one *Priest*, and two or three honest *Lay men*,
 " or more, if that be needfull, by their Oaths, that
 " they will diligently, faithfully and frequently en-
 " quire after *Hereticks* in the said *Parishes*, by fear-
 " ching any houses or subterranean receptacles that
 " may give suspicion of them; and if they find any
 " *Hereticks*, *Believers*, *Favourers*, *Receivers* or *De-*
 " *fenders* of them, they will secure them, that
 " they may not fly, and then with all speed give
 " intimation of them to the *Archbishop*, *Bishop*, *Lord*
 " or *Bailiff* of the Place. This Decree is renewed by
 the Provincial Council of *Beziers* held *An. Do. 1246.*
Ibid. p. 428. *Can. 34.* by the Council of *Alby*, *Can. 1. p. 722.* by
 the
- Vide simile Sta-*
tutum H. Chich-
ley, Cant. Archi-
episcopi, ed. A.D.
1416. Spel. Con-
cil. To. II. p. 672.
- Ibid. p. 694.*

the Council of *Arles*, *A. D.* 1234. *Can.* 5. the Council of *Saltzburgh* held *A. D.* 1420. commands " all persons under the penalty of Excommunication and eternal Death, as soon as they know that any *Heretick* is in their Territories, to reveal them to their *Superiors*; and all *Magistrates*, when the *Inquisitors* give notice of them, are bound under the same Penalty to apprehend, imprison and deliver them to the *Inquisitors*. *Can.* 32. And by the Constitutions of *Nicholas* the Third, directed to all *Christians*, they are liable to *excommunication* who neglect to do so.

p. 2341.
To. 13. *p.* 325.

Bullar. Rom.
To. 1. *p.* 182.

3. " The Lords of Territories must be solicitous to enquire after *Hereticks* in their Houses and Woods, and to destroy their Hiding-places. *Concil. Tolos.* *Can.* 3. *Stat. Raimundi, Com. Tolos. Concil. Albiense,* *Can.* 4. *p.* 723. " They must assist the Ordinary in taking them, under the Penalty of Excommunication on. *Concil. Paris. A. D.* 1346. *Can.* 4.

Concil. To. XI.
part. 1. *p.* 449.
p. 427.

Part. 2. *p.* 1912.

4. " All *Earls, Barons, Rectors, and Consuls of Cities*, and other secular Powers, bearing any Office whatsoever, must be admonished by the *Diocesan* to swear, that they will faithfully and efficaciously assist the *Church*, according to their Power and Office, against *Hereticks* and their *Accomplices*, and will use their utmost diligence therein, and, if it be found necessary, they by *Church Censures* must be compelled so to do, saith the Council of *Bezi-ers*, *Can.* 9. the Council of *Alby*, *Can.* 20. *pag.* 726. the Provincial Council of *Narbon*, *Can.* 32. And suitably to this, the *Canon Law* determines, That " all *Earls, Barons, Rectors and Consuls of Cities*, and other places, shall, at the Admonition of the *Bishops*, engage themselves by Oath, that, being required " by

Part. 1. *p.* 679,
630.
p. 693, 694.

Decretal. l. 5.
tit. 7. *cap.* 9.
par. statumimus...

“ by them, they will faithfully and efficaciously help
 “ the *Church*, according to their Office and Power,
 “ against *Hereticks* and their *Accomplices*.

§. V. Nor are these onely the Decrees of *Popes*,
 and *Emperors*, and of *Provincial Councils*, but many
 of them are confirmed by their approved *general Coun-*
cils. For,

I. The fourth general Council of *Lateran*, assem-
 bled A.D. 1215. *Can. 3.* (a) de-

(a) *Adjicimus insuper, ut quilibet Archi-*
episcopus, vel Episcopus, per se aut per Archi-
diaconum suum, vel idoneas personas honestas,
bis, aut saltem semel in anno, propriam Paro-
chiam, in qua fama fuerit hæreticos habitare,
circumeat: & ibi tres vel plures boni testi-
monii viros, vel etiam, si expedire videbitur,
totam viciniam jurare compellat, quod si quis
ibidem hæreticos sciverit, vel aliquos occulta
conventicula celebrantes, seu à communi conver-
satione fidelium, vita & moribus dissidentes, eos
Episcopo studeat indicare. Concil. To. XI.
part. I. p. 152.

“ decrees that, “ all *Archbishops*, by
 “ themselves or their *Archdea-*
 “ *con*, or by some fit and honest
 “ persons, twice, or at the least
 “ once a year, shall visit their
 “ own *Parishes*, in which it is
 “ reported that any *Hereticks*
 “ do dwell; and shall compel
 “ three or more men of good
 “ report, or if it seem expedi-
 “ ent to them, the whole neigh-

“ bourhood, to swear that if any of them know of
 “ any *Hereticks* there, or of any that keep secret
 “ *Conventicles*, or that differ in their Lives or Man-
 “ ners from the common Conversation of the Faith-
 “ full, they will endeavour to acquaint the *Bishop*

(b) *Discretionis vestre, sacro approbante*
Concilio Constantiensi, per Apostolica Scripta
committimus & mandamus. Concil. Const.
Sess. 45. Bin. To. 7. p. 1120.

“ with them. The general
 Council of *Constance*, that is,
Martin the Fifth, (b) *with the*
consent and approbation of that
 Council, (c) commands “ all
 “ *Archbishops, Bishops, Inquist-*
 “ *tors, Commissaries, or Elect*
 “ persons, by virtue of their o-
 “ bedience,

(c) *Vobis, & aliis omnibus Archiepiscopis,*
Episcopis & Electis ac Commissariis, & Inqui-
sitoribus, virtute sanctæ obedientiæ præcipimus

"bedience, that every of them,
 "within their limits or places
 "of their Jurisdiction, diligently
 "do watch for the extirpation
 "and correction of all Errors
 "and *Heresies*. And whereso-
 "ever they find any that are in-
 "famed or suspected to be guilt-
 "ty of those Crimes, to com-
 "pel them under the Penalty
 "of excommunication, suspen-
 "sion, interdict or confession
 "of the crime, or any other
 "more formidable punishment *canonical or legal*, to
 "take a corporal Oath upon the *Evangelists*, the Re-
 "liques of the *Saints* or a *Crucifix*, to answer to the
 "Questions they shall ask them. Now the *Questions*,
 among many others, are these following, *viz.*

1. "Whether they think it lawfull that such an Pag. 1124.
 "Oath should be imposed upon or taken by them
 "for their Purgation, (*i. e.*) an Oath *ex officio*, ob-
 liging them to condemn themselves.

2. "Whether they hold it a mortal Sin to be guilt-
 "ty of *Perjury*, though it be to save their Lives, or
 "for the advantage of the Faith. This may be done
 by *Catholicks*, but must not be done by *Hereticks*.

3. "Whether he believes, That, after the Con-
 "secration of the *Priest*, in the Sacrament of the
 "Altar, under the Elements of the Holy Bread and
 "Wine, there remains no material Bread and Wine,
 "but the same *Christ* entirely, who suffered on the
 "Cross, and sits at the right-hand of the Father.

4. "Whether he believes, That, the Consecration
 "being made by a *Priest* under the species of Bread
 C "alone,

*& mandamus, ut quilibet eorum, infra limites
 & loca suæ Jurisdictionis, — circa extirpa-
 tionem & correctionem errorum & hæresum,
 — in favorem ipsius fidei orthodoxæ diligenter
 invigilent, & omnes infamatos seu suspectos de
 tam pestifera labe sub confessali criminis, ex-
 communicationis, suspensionis, interdicti, aut a-
 liâ formidabili penâ canonicâ, vel legali, pro-
 ut, quando, & quemadmodum eis videtur ex-
 pedire, & facti requireret qualitas, per jura-
 mentum corporaliter præstitum, talis sacrosanc-
 tis Evangelii, seu sanctorum reliquiis, imagi-
 ne crucifixi, secundum quorundam locorum ob-
 servantiam, juxta infra scripta interrogatoria,
 ad quemlibet Articulum convenientia responde-
 re compellant. Concil. Constant. Sess. 45. Bin.
 To. 7. p. 1121.*

“ alone, and without the species of Wine, there is
 “ the true Flesh, and Bloud, and Soul, and *Deity* of
 “ *Christ*, and whole *Christ*, (in his broken body)
 “ and the same *Christ* absolutely, and under every
 “ one of the species in particular, (*i. e.*) whether
 there be one *million* of *Christs*, and yet but one.

5. “ Whether he believes, That the Custom of
 “ communicating *Lay-men* in the species of Bread a-
 “ lone, —approved by this Holy *Council*, be to be
 “ observed, so that it is not lawfull to change it with-
 “ out the *Authority* of the *Church*, (*i. e.*) whether
 he hold that the *Council*, forbidding what *Christ*
 commands, is to be obeyed before *Christ*.

Page. 1125.

6. “ Whether he believes, That the *Pope*, being ca-
 “ nonically elected, is the Successor of St. *Peter*, and
 “ hath *supreme Authority* in the whole *Church* of God?
 with many *Questions* of the like nature, containing
 the whole *superstition* of the *Church* of *Rome*.

(d) *Si qui vero ex eis juramenti Religio-
 nem obstinatione damnabili respuentes, jurare
 fortè noluerint, ex hoc ipso tanquam Hæretici re-
 putentur. Concil. Lat. quartum, Can. 3.
 Concil. To. XI. p. 152.*

* *Qui autem de Hæresi per Judicem com-
 petentem Ecclesiasticum inventi fuerint sola su-
 spicione notati, seu suspecti, nisi—propriam in-
 nocentiam congrua devotione monstraverint, in
 purgatione eis canonicè indictâ deficientes, & se
 canonicè purgare non valentes, aut pro hujusmo-
 di purgatione facienda obstinatione damnabili
 jurare renuentes, tanquam Hæretici condemnentur.
 Concil. Const. Sess. 45. Bin. To. 7. p. 1121.*

(e) *Tam ad Regnum Bohemiæ, & con-
 vicinas illi, quàm alias quaslibet partes in qui-
 bus hæc superstitiosa doctrina quomodolibet pul-
 laverit. Ibid.*

2. (d) “ If any person whom
 “ they suspect to be guilty of
 “ *Heresie* will not undergo their
 “ canonical *Purgation*, or by a
 “ damnable obstinacy refuses thus
 “ to swear in order to his Pur-
 “ gation, he is to be condem-
 “ ned as an *Heretick*; so the 4th
 general *Council* of *Later.* and the
 general *Council* of * *Constance*.

3. This Power is given to
 “ *Archbishops*, &c. throughout all
 “ (e) parts of the World where
 “ any *Heresie* ariseth, viz. to
 “ make these *Enquiries*, and
 “ proceed accordingly; so that

no

no *Countrey*, where this *Religion* doth obtain, can expect any thing but a continual *Butchery* of all that will not be most gross *Idolaters*. And,

4. They command their (f) Officers “to proceed against,
“and to condemn as *Hereticks*,
“all persons of whatsoever
“Dignity, Office, Preeminence,
“State and Condition they
“shall be, and by what names
“soever they are called, who
“think otherwise of the Sacra-
“ment of the Body and Bloud
“of *Christ*, or of *Baptism*, or
“of *Confession* of Sins, or *Pe-
“nance*, or any other Sacra-
“ments, or Articles of Faith,
“than the *H. Roman Church* and *Universal* teacheth,
“and as *Hereticks*, to give them over to the Civil
“Magistrate. *Concil. Constan. ibid.* And,

5. They renew the Consti-
tution of (g) *Boniface* the
Eighth, concerning the *Inquisi-
tion*, “requiring and comman-
“ding all *Powers*, and *Lords*
“temporal, and *Judges*, of
“whatsoever Dignity, Name
“or Office, as they desire to
“be reputed *Christians* and
“Sons of the *Church*, and to
“glory in the Name of *Christ*,
“that they obey, and attend
“these *Inquisitors*, and other
“*Ecclesiastical* persons deputed,

(f) *Mandamus* quatenus vos *Archiepiscopi*,
Episcopi, & *Electi*, & quilibet vestrum, per
se seu alium, vel alios, quos graves & idone-
as personas spirituales Jurisdictionem habentes
esse volumus, omnes & singulos cujuscunque
dignitatis, officii, præminentie, status vel con-
ditionis existunt, & quibuscunque nominibus
censeantur, qui de præexcellso — Sacramento
corporis & sanguinis Domini nostri *Jesu Christi*,
vel de baptismo, seu peccatorum confessi-
one, penitentia pro peccatis, injunctio, vel
reliquis Ecclesiasticis sacramentis, seu fidei ar-
ticolis, aliter sentire aut docere quam sacrosancta
R. Ecclesia & universalis docet, prædicat &
observat, — tanquam *Hereticos* judicetis, &
velut *Hereticos* seculari curie relinquatis.
Concil. Constant. Sess. 45. apud Bin. To. 7.
P. 1120.

(g) (*Constitutionem*) *Felices Recordatio-
nis Bonifacii Octavi*, quæ incipit, ut *Inquisi-
tionis* negotium, renovantes, & etiam exsequen-
tes, universos Potestates, & Dominos tempora-
les, & *Judices* antedictos, quibuscunque digni-
tatibus, vel officiis, seu nominibus censeantur, ex-
hortando requirimus, & mandamus eisdem, ut
sicut reputari cupiunt, & haberi fideles, ac fi-
lii Ecclesie nuncupari, & in Christi nomine
gloriarî ita pro defensione Fidei vobis *Archiepi-
scopis*, *Episcopis*, & *Electis*, ac *Inquisitoribus*
hereticæ pravitatis, & aliis *Judicibus* seu per-
sonis Ecclesiasticis per nos ad hoc — deputandis,
fidem & communionem Sanctæ Matris Ecclesie
tuentibus pareant & intendant, præeânque
auxilium & favorem, in hereticorum, ne non
credentium, fautorum, receptatorum, & defensorum
ipsorum investigatione, captione, custodia di-

ligenti, cum ab iisdem fuerint requisiti. Ibid. “ or hereafter, by the *Apostolical*
p. 1121. Vid. Sexti Decretal. l. 5. tit. 2. c. 18. “ See, to be deputed, for the

“ finding-out and punishing of *Hereticks*, affording
 “ them their aid and favour in finding-out, apprehen-
 “ ding and imprisoning them, and all that do believe,
 “ favour, receive or defend them. And so much for
 the Laws made for inquiring after *Hereticks*.

§. VI. 3. The Laws which do concern the Punish-
 ment of *Hereticks*, when they are once discovered
 and apprehended, are either such as do declare what
 Punishments shall be inflicted on them; or such as
 do oblige men to inflict those Punishments upon
 them. Now the Punishments which by their Laws
 must be inflicted on them are these following, *viz.*

Concil. To. XI.
p. 688.

Excommunication, Confiscation of their goods, Impri-
sonment, Exile, Death. Concil. Bitter. An. Dom. 1246.
Can. 2. And,

Pag. 451.
Pag. 679.
Pag. 726.
Decretal. l. 5.
Tit. 7. c. 13.

1. “ They must be *excommunicated*, with all their
 “ *Favourers*, every week, saith the *Council of Bezi-*
ers, A. D. 1233. Can. 1. and An. D. 1246. Can. 8.
 And the *Council of Alby, Can. 19.* They are actually
excommunicated saith their *Canon Law.* This Sentence
 doth pass upon them yearly in the *Bulla Cænæ.*

2. They must lose all their Goods.

Concil. To. XI.
p. 605.

7. Decretal. l. 5.
Tit. 7. cap. 10.

For (1.) whosoever apprehends them (which
 all have liberty to do) hath free leave to take from
 them all their Goods, and full right to enjoy them.
Const. Innocentii IV. cap. 2. And this Punishment,
 saith *Innocent the Third*, “ we command to be exe-
 “ cuted on them by the *Princes, and Secular Powers,*
 “ who shall by *Ecclesiastical Censures* be compelled
 “ thereunto.

Moreover, after the Sentence is pronounced a-
 gainst

gainst them, " their Goods, if they have any still remaining shall be all confiscated, and never shall " return unto them. *Const. Fred. 2. Concil. Bitterrense, To. XI. p. 622. Can. 3. p. 678. Statuta Raimundi, Com. Tolos. pag. 449, 450. Concil. Arelat. A. D. 1234. Can. 5. p. 2341.*

" The very House in which the *Heretick* is found " must be destroyed and never built again, and the " ground must be confiscated, and so must all the o- " ther Houses contiguous to it, if they belong to " the same person, (unless it appear to the *Inquistors* that the *Lords* of them were wholly inculpa- " ble) and all the Goods of them must be sold, or " become his that takes them. *Innocent. 4. cap. 26. Ibid. p. 607. Clem. 4. Const. 13. Leg. 25, 26. Concil. Tolos. Can. 6. p. 428. Concil. Bitterr. Can. 35. p. 694. Concil. Albien. Can. 6. p. 449. p. 723. Stat. Raimundi Comit. Tolos. Concil. provinc. Narbon. Can. 35. p. 694. 450.*

3. They are to be imprisoned without delay.

And when they have them thus in hold, the *Governour* is, by the Constitutions of Pope *Innocent* the Fourth, obliged " to compell them by any Punish- *Citra diminutio- nem membri, & mortis periculum. To. 11. p. 607.* " ments which do not dismember them, or endanger " their death, expresly to confess their Errors, and to " accuse all other *Hereticks* they know of, and the " *Believers, Receivers, or Defenders* of them, and to " tell where their Goods are. *Const. Innocent. 4. Bullar. R. To. I. cap. 25. Which Constitution is received by Clemens p. 174. the Fourth, Const. 13. Leg. 24. and is the ground of all the Hellish Cruelties which those poor Creatures meet with in the Inquisition.*

§. VII. 4. They must be banish'd, exterminated, or driven out of all places where they are. For the *Council of Cologne* commands " all that are subject to *Concil. To. 12.*

“ it to rise up against *Hereticks*, their *Favourers* and
 “ *Receivers*, and faithfully to procure their Extermi-
 “ nation. *Can. 9. A.D. 1425. p. 363, 364.* And in
 order hereunto,

To. XI. p. 622. 1. All secular Powers must swear to expel *Here-
 ticks* out of their Dominions. The Constitutions of
 the Emperour *Frederick* the Second run thus, “ We
 “ make a perpetual Decree, That the *Officers, Con-
 “ suls, Rectors*, whatsoever Office they enjoy, shall,
 “ in defence of the Faith, take a publick Oath, That
 “ they will honestly endeavour with their utmost
 “ power to expell all *Hereticks*, as such condemned
Ibid. p. 423. “ by the *Church*, out of their Territories. And all
 “ that shall be admitted hereafter to any place of Go-
 “ vernment temporal or perpetual, shall be bound to
 “ take this Oath, or lose his Government. *Ludovicus*
 the Seventh, *King of France*, with the advice of his
Concil. To. XI. p. 423, 424. Nobles, sets forth his *Edicts* against *Hereticks*, “ com-
 “ manding all his *Barons, Bailiffs*, and other Sub-
 “ jects present and future, to be solicitous and intent
 “ to purge their Territories from *Hereticks* and he-
 “ retical Filth, and to swear to the observation of this
 “ and all the other Statutes made against them. They
 “ must swear to doe their endeavours to exterminate
 “ out of their Dominions all *Hereticks, Believers, Re-
 “ ceivers, Favourers, or Defenders* of them, saith the
p. 726. *Council of Alby, Can. 20.* The *Council of Arles* gives
Concil. To. XI. part. 2. p. 2340. power to the *Bishop* to compell them by *Church Cen-
 sures* to take this Oath. *Can. 3.* See the like, *Concil.
 Bitter. Can. 9. p. 679, 680. Concil. provinc. Narbon.
 Can. 32. p. 693, 694.*

The Constitutions of *Innocent* the Fourth decree,
 “ that every Governour in *Lombardy*, having called
To. XI. p. 605. “ a *Common Council*, shall put forth his *Edict*, to
 “ banish

“ banish all *Hereticks* from under his Jurisdiction, and
 “ to declare, That none of them shall stay within his
 “ Jurisdiction. *Const. 2.* So also doe the Constitutions *Bull. Rom. To. I.*
 of *Clement the Fourth*, *Const. 13. Leg. 2.* Now, for *p. 173.*
 the better Execution of this Punishment, it is de-
 creed,

§. VIII. 1. “ That if any Governor knowingly per-
 “ mit a *Heretick* to abide in his Dominions he shall be
 “ excommunicated. *Concil. Bitterr. Can. 2. p. 677.*

2. “ That whosoever, having temporal Dominion,
 “ neglects to prosecute those who by the *Church* are
 “ denounced *Hereticks*, or to exterminate them out *Incomparabiliter*
 “ of his *Province* or *Dominion*, is to be deem'd a *Reus*, *p. 492.*
 “ grievous *Favourer* of *Hereticks*. *Concil. Narbon.*
Can. 15.

3. “ He who knowingly permits a *Heretick* to a-
 “ bide in his *Dominions* shall for ever lose them.
 “ And his Body shall be in the Power of his *Lord*, *Concil. To. XI.*
 “ to doe with him as he ought. *Concil. Tolos. Can. 4. p. 428.*
Concil. Bitterr. Can. 2. p. 677. Concil. Alb. Can. 5. p. 725.
 “ If the *temporal Lord* being required shall neglect to
 “ purge his Territory from *heretical Pravity*, after one
 “ year elapsed from the time of his Monition, *saieth*
 the *Emperour Frederick*, “ we expose his Territories
 “ to be seized by *Catholicks*, who, having extermi-
 “ nated the *Hereticks*, without contradiction shall
 “ possess it, and preserve it in the Purity of Faith,
 “ so as no injury be done to the right of the *superiour*
 “ *Lord*, who doth not any way oppose this Proce-
 “ dure; provided notwithstanding that the same Law *p. 622.*
 “ take place against them who have no *principal Lords*. *Bull. Rom. To. X.*
Const. Fred. 2. And this his Constitution is confirmed *p. 90.*
 by *Honorius the Third. Const. 1.*

§. 1X. Now all these Constitutions of *Popes, Kings, Emperours, Provincial Councils*, are also confirmed by the approved general *Councils* of the *R. Church*; and are extended and enlarged by them to *Kings, Emperours* and *Supreme Governours*, and so they are not onely Constitutions of State, or of the *Court of Rome*, but also of the whole *Church of Rome*. For,

(a) *Excommunicamus & anathematizamus omnem Hæresim extollentem se adversus hanc sanctam orthodoxam Fidem quam superius exposuimus, condemnantes universos Hæreticos quibuscunque nominibus censeantur.* Concil. Lat. Can. 3. Concil. To. XI. p. 148.

“thodox Catholick Faith, which we have now expounded, condemning all *Hereticks* by what names

(b) *Eos & Defensores eorum & Receptores Anathemati decernimus subjacere.* Concil. Lat. tertium. cap. 27.

1. The Fourth general Council of (a) *Lateran* begins the Chapter against *Hereticks* thus, “We excommunicate and anathematize every *Heresie* extolling it self against the *H. Orthodox Catholick Faith*, which we have now expounded, condemning all *Hereticks* by what names soever they are called. (b) We anathematize them, their Defenders and Receivers, saith the Third general Council held there.

(c) *Bona ejusmodi Damnatorum, si Laici fuerint, confiscantur.* Concil. Lat. quartum, Can. 3. *ibid.* *Confiscantur eorum bona, & liberum sit Principibus ejusmodi homines subijcere servituti.* Lat. tertium, cap. 27. *Bona ipsorum, à tempore commissi criminis, secundum canonicas Sanctiones confiscata.* Concil. Const. Sess. 45. Bin. To. 7. p. 1121.

2. The Third general Council of (c) *Lateran* under *Alexander* the Third, the Fourth general Council of *Lateran* under *Innocent* the Third, and the general Council of *Constance* decree that “the Goods of *Hereticks*, if they be *Lay-men*, shall be confiscated.

3. They decree that “the *Temporal Lords*, being

(d) *Ut præfatas personas pestíferas—in potestatem, seu carcerem—infra eorundem Dominorum potestatem, seu judicium districtum ducant, vel duci faciant, sine mora, ubi per viros Catholicos—sub arcta & diligenti*

required by the *Inquisitors, Archbishops, Bishops, &c.* (d) “shall within their Jurisdictions, without delay, imprison *Hereticks*,

“ *reticks*, and cause them to be
 “ kept in close custody, by put-
 “ ting them into Fetters and I-
 “ ron Chains, till the *Church*
 “ hath passed sentence on them; and not * freeing *
 them from prison without the License of the *Bishop*
 or *Inquisitors*. And,

4. They decree that the
 (e) “ *Secular Powers*, what
 “ *Offices* soever they enjoy,
 “ shall be admonished, and, if
 “ need be, compelled by *Eccle-*
 “ *siastical Censure*, that as they
 “ desire to be reputed *Christi-*
 “ *ans*, so they will take an Oath
 “ for the defence of the *Faith*,
 “ that they will honestly en-
 “ deavour with their whole
 “ Power to exterminate all *Hereticks*, condemned by
 “ the *Church*, out of their Territories. Thus the
 fourth *Lateran Council* hath defined. The general

Council of Constance requires
 (f) “ All *Archbishops*, *Bishops*,
 “ and other persons chosen for
 “ this Work, to admonish and
 “ require all *Kings*, *Emperours*,
 “ *Dukes*, *Princes*, *Earls*, *Bar-*
 “ *ons*, &c. and by the *Apostolical*
 “ *Authority* to command them,
 “ to expell all *Hereticks* foremen-
 “ tioned out of their Kingdoms,
 “ *Provinces*, *Cities*, *Towns*, *Ca-*
 “ *stles*, *Villages*, *Territories* and
 “ other Places, according to the

D

custodia, nè fugiant ponendo eos etiam compedi-
bis & manicis ferreis, teneant, donec eorum
negotium per Ecclesia judicium terminetur.
Concil. Const. Sess. 45. Bin. To. 7. p. 1121.

* *Vide Sext. De-*
cretal. l. 5. tit. 2.
c. 18.

(e) *Moneantur autem, & inducantur, &*
si, necesse fuerit, per Censuram Ecclesiasticam
compellantur Seculares Potestates, quibuscunque
funguntur Officiis, ut sicut reputari cupiunt &
haberi fideles, ita pro defensione Fidei præsent
publicè Juramentum quod de terris suæ juris-
ditioni subiectis universos Hæreticos ab Ec-
clesia denotatos bona fide pro viribus extermi-
nare studebunt: ita quòd à modo quomodocun-
que quis fuerit in Potestatem sive spiritualem
sive temporalem assumptus hoc teneatur capitu-
lum Juramento firmare. Concil. Lat. quar-
tum. Can. 3. ibid.

(f) *Omnes Christianæ & Catholicæ Fidei*
Professores, Imperatorem, Reges, Duces, Prin-
cipes, &c. necnon ceteros jurisdictionem tempo-
ralem exercentes juxta Juris formam & exi-
gentiam Authoritate Apostolicâ exhortando mo-
neatis & requiratis ut de Regnis, Provinciis,
Civitatibus, Oppidis, Castris, Villis, Terris &
Locis aliis, ac Dominiis supradictis, omnes &
singulos Hæreticos hujusmodi, secundum tenorem
Lateranensis Concilii, quod incipit sicut ait,
—tanquam oves morbias Gregem Domini
insicientes, expellant: nec eosdem in suis distric-
tibus prædicare, domicilia tenere, larem fove-
re, contractus inire, negociationes & mercatio-
nes quaslibet exercere, aut humanitatis solatia,
N. B. cum Christi Fidelibus habere permittant.
Conc. Const. Sess. 45. apud Bin. To. 7. p. 1121. A.
Vide Concil. Lat. tertium, cap. 27.

Canon

" *Canon of the Lateran Council* which begins with the
 " words, *Sicut ait*, that is, according to the Twenty
 seventh *Canon of the Third general Council of Lateran*,
 which, under *Anathema*, forbids any one to let the
Hereticks there mentioned tarry within their Houses
 or Territories.

(g) *Si vero Dominus temporalis requisitus, & monitus ab Ecclesia, terram suam purgare neglexerit ab hac heretica fæditate, per Metropolitanum & ceteros Comprovinciales Episcopos excommunicationis vinculo innodetur, & si satisfacere contempserit infra annum, significetur hoc Summo Pontifici, ut ex tunc ipse vassallos ab ejus fidelitate denunciaret absolutos, & terram exponat Catholicis occupandam, qui eam, exterminatis Hereticis, sine ulla contradictione possideant, & in fidei puritate conservent, salvo jure Domini principalis, dummodo super hoc ipse nullum præster obstaculum, nec aliquod impedimentum opponat, eadem nihilominus lege servatâ circa eos qui non habent Dominos principales. Ibid. p. 148, 149.*

" nounce his Subjects discharged from their obedi-
 " ence, and expose his Territories to be enjoyed by
 " *Catholicks*, who, having exterminated the *Hereticks*,
 " shall possess it without all contradiction, and keep
 " it in the purity of Faith, so that no injury be
 " done to the *Principal Lord*, who doth not oppose
 " his procedure; provided notwithstanding that the
 " same Law take place against them who have no
 " *Temporal Lords*. Now let it be observed that both

(h) *Corde & ore profiteor fidem secundum traditionem octo Conciliorum generalium, necnon Lateranensis, Lugdunensis, Viennensis, Constantiensis, generalium etiam Conciliorum, & illam fidem usque ad unam apicem immutata servare, & usque ad animam & sanguinem defendere, & prædicare. Concil. Constant. Sess. 39. Basil. Sess. 37.*

5. The Fourth *Council of*
 (g) *Lateran* adds, that " if the
 " *Temporal Lord*, being requi-
 " red and admonished by the
 " *Church*, shall neglect to purge
 " his Territories from *Heretical*
 " *Filth*, he shall be excommu-
 " nicated by the *Metropolitan*
 " and his *Suffragans*; and if he
 " neglect to give satisfaction
 " within a year, this shall be
 " signified to the Pope, that he,
 " from hence forth, may pro-
 " nounce his Subjects discharged from their obedi-
 " ence, and expose his Territories to be enjoyed by
 " *Catholicks*, who, having exterminated the *Hereticks*,
 " shall possess it without all contradiction, and keep
 " it in the purity of Faith, so that no injury be
 " done to the *Principal Lord*, who doth not oppose
 " his procedure; provided notwithstanding that the
 " same Law take place against them who have no
 " *Temporal Lords*. Now let it be observed that both
 the *Councils of* (h) *Constance*,
 and of *Basil*, do reckon this
 of *Lateran* among those *Coun-*
cils which all their *Popes* must
 swear to maintain to the least
 tittle, and to defend even to
 Bloud;

Bloud ; and that the *Council* of (i) *Trent* not onely (i) *Per Lateranenſe Concili-um Eccleſia ſta- tuit. Seſſ. 14. c. 5.* hath declared it to be a general *Council*, but alſo doth affirm one of its Definitions to be the voice of the whole *Church*, and therefore theſe three general *Councils* muſt be ſuppoſed to approve all that is cited from this *Council*. The general

Council of (k) *Conſtance* decrees that “all *Hereticks*, all “*Followers* and *Defenders* of “them, or *Partakers* with them, “though they ſhine in the Dig- “nity of *Patriarchs*, *Archbishops*, “*Bishops*, *Kings*, *Queens*, *Dukes*, “or any other *Eccleſiaſtical* or “*Mundane Title*, ſhall be pro- “nounced *excommunicate* in the “preſence of the *People* every “*Sunday* and *Holy-day*: And “that the *Archbishops*, *Bishops*, “and *Inquiſitors* ſhall diligently “enquire concerning them, “who hold, approve, defend, “dogmatize or receive ſuch “*Hereties* or *Errors* as they be- “fore had mentioned, of what “*Dignity*, *State*, *Preeminence*, “*Degree*, *Order* or *Condition* “ſoever they are, and if they “be found guilty or infamed, “by their *Authority* ſhall pro- “ceed againſt them by the Pu- “niſhments of *excommunicati-* “*on*, *ſuſpenſion*, *interdict*, as alſo “of deprivation of their *Dignities*, *Offices* and *Bene-*

(k) *Omnes & ſingulos Hæreticos huiusmodi, necnon Sectatores ipſarum Hæreſum & Errorum utriuſque ſexûs, tenentes, & etiam defendentes eoſdem, aut Hæreticis ipſis quomodolibet, publi- cè vel occultè, in divinis, vel alias partici- pantes, etiamſi Patriarchali, Archiepiſcopali, Episcopali, Regali, Reginali, Ducali, aut aliâ quavis Eccleſiaſtica vel mundanâ præfulgeant dignitate, — excommunicatos ſingulis diebus dominicis & feſtivis, in præſentia populi nunci- etis, & per alios nunciari faciatis, & nihilomi- nus contra eoſdem omnes & ſingulos, utriuſque ſexûs, huiusmodi errores tenentes, approbantes, defendentes, dogmatizantes ac Fautores & Re- ceptores & Defenſores eorundem, — & quem- libet ipſorum, cuiuſcunque dignitatis, ſtatûs, præminentia, gradûs, ordinis vel conditionis exiſtunt, auctoritate noſtrâ diligenter inquire- re ſtudeatis, & eos quos per inquiſitionem hu- iusmodi diffamatos, vel per confeſſionem eorum, vel per facti evidentiam, vel alias huiusmodi hæreſis & erroris labe reſperſos reperietis, auc- toritate prædictâ, etiam per excommunicatio- nis, ſuſpenſionis, & interdicti, necnon privati- onis dignitatum, perſonatum & officiorum, al- liorumque beneficiorum Eccleſiaſticorum ac feu- dorum, quæ à quibuſcunque Eccleſiis, Monaste- riis, ac aliis locis Eccleſiaſticis obtinent, ac eti- am bonorum & dignitatum ſecularium — & per alias pœnas, ſententias & cenſuras Eccleſia- ſticas, ac vias & modos quos ad hoc expedire, ſeu opportunos eſſe videritis, etiam per captio- nes & incarcerationes perſonarum, & alias pœ- nas corporales quibus Hæretici puniuntur, ſeu puniri jubentur, aut ſolent, juxta Canonicas Sanctiones. Concil. Conſtant. Seſſ. 45. apud Bin. To. 7. p. 1125.*

Council. To. XII.
p. 367.

“ fices Ecclesiastical, and also of their Secular Dignities and Honours, and by any other Penalties, Sentences, Ecclesiastical Censures, ways or manners which they shall judge expedient, even by taking and imprisoning their persons, and executing upon them any corporal Punishments with which *Hereticks* use to be punished, according to the Canonical Sanctions. The general Council of *Siena* confirming this *Bull* of *Martin* the Fifth made with the approbation and concurrence of the Council of *Constance*, and so, upon the matter, renews all the forementioned Decrees.

§. X. And whereas our dear Lord declares, *he came not to destroy mens lives, but to save them*, they have set up under the Banner of the Cross an Host of men on purpose to exterminate, destroy and butcher those whom they are pleased to call *Hereticks*, and, to encourage them in this *inhumane* service, do promise them the greatest privileges.

(1) *Si Bohemi non venerint ad Concilium sic solenniter mandati, tunc Principes & Christiani Fideles poterunt ad pugnam animari: (& paulò post) justè induci possit bellum contra Hereticos damnatos.* Append. ad Concil. Basil. apud Bin. To. 8. p. 200.

The (1) Council of *Bourges*, approved by the general Council of *Basil*, declares, that “ War may justly be waged against condemned *Hereticks*,

“ and that *Princes* and *Christian People* may be animated to fight against them.

(m) *Catholici verò, qui Crucis assumpto charactere, ad Hereticorum exterminium se accinxerint, illà gaudeant indulgentiâ, illoque sancto privilegio sint muniti, quod accedentibus in terrâ sanctâ subsidium conceditur.* Concil. Lat. quartum, To. XI. p. 149.

The Fourth general Council of (m) *Lateran* decrees, that “ they who under the badge of “ the Cross will set themselves “ to exterminate *Hereticks*, shall “ enjoy that Indulgence and “ that holy Privilege which is granted to them who go

“ go in defence of the *Holy-land*, and that is full remission of all their sins which they confess, and for which they have been contrite, and a greater degree of everlasting Happiness than others may expect.
Can. 3.

The Third general Council of (n) *Lateran* decrees, “ they shall be taken under the defence of the *Church*, and shall be secure from any manner of molestation in their Goods and Persons, and shall have two years release of the Penance enjoined them, and receive greater Indulgence at the discretion of the *Bishops*.

Cap. 27. The general Council of *Siena* decrees, that “ all who prosecute and procure the extirpation of the *Wicklefists* and *Hussites*, shall enjoy all the Rights, Privileges and Indulgences concerning the Pardon of their Sins, which have been granted to them that rise up against *Hereticks*. And to “ all that will prosecute those *Hereticks*, “ apprehend or bring them to the *Inquisitors*, or, if they cannot apprehend, will expell them from their Territories, and, if they be required fight against them; they “ promise all the Privileges granted to those who went to the assistance of the “ *Holy-land*. So also doth the *Canon Law*. *Eugenius* the Fourth, in his Bull of Revocation of the ge-

(n) *Eos qui ardore Fidei ad (Hereticos præfatos) expugnandum, laborem iustum assumpserint, sicut eos qui sepulchrum dominicum visitant sub Ecclesiæ defensione recipimus, & ab universis inquietationibus tam in rebus quam in personis, statuimus manere securos; & rursus fidelibus Christianis qui contra eos arma susceperint biennium de pœnitentia injuncta relaxamus, aut si longiorem ibi moram habuerint, Episcoporum discretioni, quibus hujus rei cura fuerit injuncta, committimus, ut ad eorum arbitrium secundum modum laboris, major eis Indulgentia tribuatur. Concil. Lat. 3. cap. 27. apud Bin. To. 7. p. 662.*

Statuit hæc sancta Synodus, quod quicumque capientes Hereticos, & in potestatem Ordinariorum vel Inquisitorum Hereticæ pravitatis effectualiter ponentes, vel eos, quos detinere, seu capere non possent, de eorum territoriis omnes expellentes, aut bannientes, seu etiam requisiti, brachium seculare contra eos præstantes, eam Indulgentiam consequantur quæ dari consuevit personaliter proficiscentibus in subsidium Terræ Sanctæ. Concil. To. 12. p. 368, 369.

neral Council of *Basil* objects this to them, " That against the Decrees of the Holy Fathers, and the Edicts of Emperors, which deny the admitting Hereticks to audience, and in prejudice to the Authority Apostolick, and the Authority of the H. Councils, they had invited the *Bohemians* to dispute at *Basil*, about certain Articles condemned by the Decrees of Popes and Councils, it being, saith he, notorious to the whole World, that the *Bohemian Hereticks* were maturely and solemnly condemned in the Council of *Constance* and in the Council of *Siena*, were by divers Processes of the *Apostles See* and his

Invocatione etiam auxilii brachii secularis, & publici belli indictione multiplici. Bin. To.8. p. 267.

(o) *Cœleste Regnum à Deo consequitur qui pro Christianorum defensione moritur.*

Legates aggravated once and again, and that War was proclaimed and the Secular Arm invoked against them. (o) " He shall obtain of God the Kingdom of Heaven who dies for the defence of *Christians*, saith a *Lemma* of the Canon Law : the words of the Chapter are said to be directed by *Leo* the Fourth to the *French Army*; and they speak thus, viz. " laying

Omni timore & terrore deposito, contra Inimicos Sanctæ Fidei, & Adversarios omnium Religionum agere viriliter studete; novit enim Omnipotens si quilibet vestram morietur, quod pro veritate Fidei, — ac defensione Christianorum mortuus est, & ideo ab eo præmium cœleste consequetur. Decret. Part. 2. Caus. 23. qu. 8. cap. 9.

" aside all fear and terrour, act boldly against the Enemies of H. Faith, and the Adversaries of all Religion; for the Omnipotent knows, that if any of you dies he dies for the true Faith, the Preservation of his Countrie, and the Defence of Christians; and therefore he shall obtain of God a Heavenly Reward.

Concil. To. XI. p. 619, 621.

§. XI. The last Punishment which these poor Creatures must undergo is Death. They shall not be suffered

suffered to live, say the Constitutions of *Frederick the Second*. "The *Natareni* and all other *Hereticks* shall be duly punished by the *Secular Judge*, they shall take them away by a *damnable Death*, say the same Constitutions, p. 619. "For their Extirpation, we decree, saith *Ludovicus the Seventh King of France*, that, being condemned, they shall be punished with the *Animadversion* due unto them. So also doth the *Canon Law. Decretal. l. 5. tit. 7. cap. 13*. By the Statute of our *King Henry the Fourth*, against the *Lollards*, "after the Sentence pronounced against these *Hereticks*; the *Maïor*, the *Sheriff*, or their *Officers*, who must be present at the Execution, must take them into their Custody, and burn them before the People in some *eminent place*. *Concil. Tom. II. part. 2. p. 2101. A. D. 1408.*

The Constitutions of *Frederick the Second* decree, that "the same Punishment shall be inflicted upon those who cherish and defend them. *Pag. 619.*

"And upon all who having once abjured their *Herésie* relapse into it. *Ibid. p. 620.*

If after Death they shall be found to have been *Hereticks*, "their Bodies must be digged up, and their Bones burnt. *Concil. Albiense, Can. 25. p. 727.*

"And the temporal *Lords*, by the *Diocesan*, and the *Inquisitors*, must be compelled by *Ecclesiastical Censures* to dig up their Bodies. *Concil. Alb. Can. 27. p. 728.*

Moreover, "The *Sons* and *Nephews* of *Hereticks* or of their *Receivers*, *Defenders* or *Favorers*, must be admitted to no publick *Offices* or *Benefices Ecclesiastical* or *Secular*, nor to succeed to the Inheritance of their *Fathers*. *Const. Fred. 2. Innocent. 4. cap. 29. p. 608. Nich. 3. Const. 2. §. 21. These are the* *To. XI. p. 622. Bull. Ro. To. I. p. 182.*

the Laws established which lay an Obligation upon those of this Communion to punish *Hereticks*.

§. XII. And that what they have thus established may be inviolably observed, they decree, 1. That "all the *Governors* forementioned must proceed according to their Constitutions against all *Heresies* extolling themselves against the *Church of Rome*. Clem. 4. *Constit.* 8. §. 2. *ubi supra*.

Pag. 608.

2. That "these Punishments of *Hereticks* must by no means be relaxed. *Const.* Innoc. 4. *Cap.* 32. Clem. 4. *Const.* 13. *Leg.* 34. Bull. *To.* 1. p. 175. and as they must not be relaxed, so neither must they be delayed. For,

Pag. 607.

3. "When any person is condemned for *Heresie*, the *Magistrate*, within five days, must execute the Sentence which hath past upon him. *Innoc.* 4. *Const.* cap. 24. he must presently receive them into his Custody for that end. Clem. 4. *Const.* 13. *Leg.* 23. "He shall punish them without delay. *Const.* Ludovici, *Regis Francorum*. And,

Bull. Rom. p. 174.
To. XI. p. 423

4. That no person may have any temptation or excuse, either for the relaxing or delaying of them, they are required to execute them without enquiry made into the Justice of them; For by the *Constitutions* of *Innocent* the Eighth, "All *Magistrates*, under the Penalty of *Excommunication*, must execute the Penalties by the *Inquisitors* imposed on *Hereticks*, without revising the Justice of them; Because *Heresie* is a Crime meerly Ecclesiastical. *Const.* 10. Bull. *Rom.* *To.* 1. p. 453.

§. XIII. Moreover, That no *Governor* may plead Ignorance as to any of these *Laws*, by the *Constitutions* of *Innocent* the Fourth, "Every *Governor* must have

To. XI. p. 609.

“ have a Copy of these *Laws* inserted into the *Statute Book* of the *City* where he doth preside. *Const.* 38. *Clemens* the 4th commands “ all *Rulers* throughout *Italy*, to write down in their *Chapter-acts*, or “ in their *Books of Statutes*, the *Constitutions* set forth “ against *Hereticks* by *Innocent* the Fourth, and *Alexander* the Fourth, *Const.* 8. §. 1. And, Bull. Rom. To. I. p. 166.

2. “ If any blot out, diminish or alter any of these “ *Constitutions* without the consent of the *Apostolick See*, he must be proceeded against as a publick “ *Defender* or *Favorer* of *Hereticks*, *Innocent.* 4. Pag. 609. *Const.* 34. *Clem.* 4. *Const.* 13. *Leg.* 37. p. 175. And that no person may plead an *Obligation* by virtue of any other *Constitutions*, to neglect the prosecution of these *Laws*.

3. “ All *Statutes* contrary to these, throughout “ all *Italy*, must be abolished and rased out of all places and *Cities* within their *Jurisdiction*, *Innocent.* 4. Pag. 609. *Const.* 37. *Clem.* 4. *Constit.* 13. *Leg.* 39. By the *Constitution* of *Urban* the Fourth, “ the *Statutes* of any “ *City, Castle, Village*, or other place, whereby the business of the *Inquisition* of *Heretical* pravity is directly or indirectly hindred or retarded, are made void, “ and the *Rectors* and *Governors* of those places are, “ by *Ecclesiastical Censure* to be compelled to revoke “ them. Bull. Rom. To. I. p. 175. Sexti Decretal. l. 5. tit. 2. cap. 9.

§. XIV. Again, That knowing of these *Constitutions* they may not dare to be remiss as to the *Execution* of them; at their *Admission* they must swear to the *Observance* of them, “ he who will not doe so, must “ not be owned as a *Governor* in any place of *Italy*, “ nor must any of his *Acts* be valid, nor any person be obliged to perform the *Oaths* made to him, To. XI. p. 604.

Bull. Rom. To. I.
p. 173.
p. 622.

Innoc. 4. *Const.* 1. Clem. 4. *Const.* 13. *Leg.* 1. Nor is he, by the *Laws* of Frederick the Second, to be admitted as a *Governor* in any place of the *Empire*. And these two *Constitutions* are made a part of the *Canon Law*, as you may see, *Sexti Decretal.* l. 5. tit. 2. cap. 11.

If, having thus sworn, " he shall neglect to ob-
" serve all, and several of these *Constitutions*, he must
" be deposed of his Office and Government, and be
" henceforth incapable of any Dignity, Office and
To. XI. p. 604. " Honour, and must be prosecuted as a person *infa-*
" *mous*, *perjur'd*, *suspected* concerning the *Faith*, and

Bull. Rom. To. I. " a *Favorer* of *Hereticks*. *Const.* Innoc. 4. *Const.* 1.
p. 173. Clem. 4. *Const.* 13. *Leg.* 2. " If he do not proceed ac-
" cording to these *Rules* against all *Heresies* extol-
" ling themselves against the *Church* of *Rome*, he
" must be punished with an *Excommunication* and an
" *Interdict* upon his *Jurisdiction*, to be inflicted by
p. 166. " the *Inquisitors* on all *Refusers*. *Constit.* 8. §. 2. *Con-*
stit. 13. §. 2. p. 172.

" If any *Bishop* be negligent or remiss in purging
" of his *Diocess* from *Heretical* pravity, he, by the

(a) *Si quis Episcopus, super expurgando de sua Diocesi Hereticæ pravitatis fermento, negligens fuerit vel remissus, cum id certis indicis apparuerit, ab Episcopali Officio deponatur, & in locum ipsius alter substituitur idoneus, qui velit & possit Hereticam confundere pravitatem.* Concil. Lat. Can. 3. Concil. To. XI. p. 152.

(b) *Nos enim contra omnes Archiepiscopos, Episcopos, &c. qui super extirpando Hereticæ pravitatis fermento—negligentes fuerint,—usque ad privati nem seu depositionem Pontificalis Dignitatis procedere intendimus & procedemus.* Sess. 45. apud Bin. To. 7. p. 1122.

(a) *Canon* of the Fourth general *Council* of *Lateran*, " must
" be deposed from his *Episcopal*
" *Office*; and the same Punish-
ment is threatned by the gene-
ral *Council* of (b) *Constance* to
all *Archbishops*, *Bishops*, or *In-*
quisitors who are thus negli-
gent and remiss, and also by
the *Canon Law*, *Decretal.* l. 5.
tit. 7. cap. 13.

To. XI. p. 428.

" If any *Bailiff* be negligent in this Work, he
" must lose his *Goods* and be incapable of the Of-
fice.

fice. Concil. Tolos. Can. 7. Concil. Albiense, Can. 7.
p. 723.

" If any person whatsoever will not execute the
" Sentence of the *Inquisitors*, he must be compelled
" to it by *Ecclesiastical Censures*; and if then he a-
" mend not, both his *Diocesan* and the *Inquisitors* *Concil. To. XI.*
" must proceed against him as a *Defender* and *Favo-* p. 698.
" *rer* of *Hereticks*. So the *Council of Valence, A. D.* p. 726.
1248. *Can. 9. Concil. Albiense. Can. 22. A. D. 1254.* 727.

§. XV. And that no man may dare to give these *Vide Bullam Ni-*
Hereticks Credit, or shew them the least Favor, they *chol. 3. Const. 2.*
have decreed, 1. That all who are *Believers* of *Here-* §. 3. *Bull. Rom.*
ticks, or give Credit to their Errors, shall be condem- *To. I. p. 182. &*
ned and punished as *Hereticks*. *Innoc. 4. Const. 27.* *Clem. 4. Const. 13.*
Now " such a one is he, saith the *Provincial Council* of *To. XI. p. 495,*
Narbon, " who shews them any Reverence, who be- 496.
" lieves that they, continuing in their Sect, may be
" saved, or may be good and holy Men, or Friends of
" God, or of good Life and Conversation, or that
" they who prosecute them do offend. *Can. 29.* " They
" are to be reputed *Favorers* of *Hereticks*, saith the
Provincial Council of *Narbon*, " who hinder the Cor- *P. 492. Can. 14.*
" rection or Extirpation of *Hereticks*, and those that
" believe them, or do not doe that which without
" manifest fault they cannot omit towards it; they
" greatly favor them who conceal them when they
" may and ought to reveal them; they more, who by
" concealing of them maliciously endeavor to hinder
" their Examination, Incarceration or Punishment;
" they most of all, who release them without the con-
" sent of the *Church*, when they are taken or impri-
" soned, or by whose Counsel, Aid or Command,
" such things are done: Nor are they free from this *Ibid. Can. 16.*

“ Crime, who, having opportunity of place and
 “ time, and power to apprehend *Hereticks*, or help
 “ others so to doe, wickedly let it slip, especially,
 “ when they are required to assist by others that are
 “ willing to apprehend them.

*Credentes vero præterea, Receptores, Defensores & Fautores Hereticorum, Excommunicationi decernimus subiacere: firmiter statu-
 entes, ut postquam quis talium fuerit Excom-
 municatione notatus, si satisfacere contempserit
 infra annum, extunc ipso jure sit factus infam-
 is, nec ad publica Officia, seu Consilia, nec
 ad eligendos aliquos ad hujusmodi, nec ad Te-
 stimonium admittatur: Sit etiam inestabilis,
 ut nec testandi liberam habeat facultatem, nec
 ad hereditatis successionem accedat: Nullus
 præterea ipsi super quocunque negotio, sed ipse
 aliis respondere cogatur, quod si forte Judex
 exstiterit, ejus sententia nullam obtineat firmi-
 tatem, nec causæ aliqua ad ejus audientiam
 perferantur; si fuerit Advocatus, ejus patro-
 cinium nullatenus admittatur; si Tabellio, ejus
 instrumenta confecta per ipsum nullius penitus
 sint momenti, sed cum Autore damnato dam-
 nentur. Concil. Lat. quartum, Can. 3. Con-
 cil. To. XI. p. 149, 150.*

2. “ If any *Believer, Recei-
 ver, Defender or Favourer of
 “ Hereticks*, being excommuni-
 “ cated, do not satisfie (the
 “ Church) within a year, he
 “ from hence forward shall be
 “ infamous, and shall not be
 “ admitted to give Testimony,
 “ or to publick Offices, or to
 “ Councils, or to the Election
 “ of those that belong to them:
 “ he shall have no power of
 “ making any Will, or suc-
 “ ceeding to any Inheritance:
 “ No man shall be obliged to
 “ answer him in any Cause, but
 “ he shall be compelled to an-

“ swer others; if he be a Judge, his Sentence shall
 “ be void and null, nor shall any Causes come before
 “ him; if an *Advocate*, he shall not be admitted to
 “ plead; If a *Clerk* or *Notary*, the Instruments drawn
 “ by him shall be of no moment. So the *Const.*
 Freder. 2. the *Constitutions* of *Clement* the Fourth,
Const. 27. And lastly, All this is confirmed by the
 Fourth general *Council* of *Lateran* in expresse words,
Cap. 3. de Hereticis, and by the *Canon Law, Decretal.*
l. 5. tit. 7. cap. 13.

Concil. To. XI.
p. 622, 623.

Bull. Rom. To. I.
p. 182, 175.

To. XI. p. 150.
149.

§. XVI. Moreover, for the Security and the En-
 couragement

couragement of such as shall accuse them ; Whereas , according to the Laws of *heathen Rome*, no man could be condemned, till he had his Accusers brought before his Face, they have decreed that “ the Names of “ the *Accusers* of *Hereticks* shall not be made publick “ either by Word or Sign, because this is the pleasure “ of the *Apostolick See*. So *Concil. Narbon. A.D. 1235. Can. 22. Concil. Bitter. An. Do. 1246. cap. 10.* And Act. 25. 16.
Concil. To. XI.
p. 494.
p. 689, 690. whereas, in other Cases, by the *Laws* of all *Nations*, notorious Criminals , infamous and perjur'd Persons , were not to be admitted to give Testimony against others, especially in matters of Life and Death : All Criminals, and infamous Persons, though Partakers with them in their Crimes, may be admitted to accuse and testifie against the *Hereticks*. *Concil. Narbon. An. Dom. 1235. Can. 24. Concil. Bitter. An. D. 1246. cap. 12.* Ibid. p. 494.
p. 690.

§. XVII. Now sutably to these *Decrees* and *Principles* the *Pope* hath frequently proceeded , depriving *Civil Governors* of their *Dominions* , as being *Favorers* of *Hereticks* , or as neglecting to extirpate *Hereticks* out of their *Territories*.

For (a) *Raimund*, Count of *Tolose*, was excommunicated by *Innocent* the Third , “ because “ he was a *Favorer* of *Hereticks*, “ and his *Dominions*, by the *Pope*, were given to any person who would seise upon them. In the year 1210. the *Citizens* of *Tolose* were by the *Council* of (b) *Avignon* excommunicated, “ because they “ neglected to perform what “ they had promised concerning

(a) *Raimundus*, Comes *Tolosanus*, *Albigensium* Fautor , jam sæpius excommunicatus , cum & ditionem suam cuius occupanti à Pontifice concessam cerneret, &c. *Concil. To. XI. pag. 35.*

(b) In quo Concilio excommunicati fuerunt, & expositi, Cives *Tolosani*, pro eo quod ea que Legato, & Cruce signatis, promiserant, de expulsiōe *Hæreticorum*, adimplere contempserant. *Ibid. pag. 53.*

“ the Expulsion of *Hereticks*. In a Council held at *Vaur*, A. D. 1213. (c) “ *Arnaldus*

(c) *Arnaldus Apostol. Sedis Legatus*, datis literis, *Auſtoritate Apoſtolicâ*, Regem admonuit, quin etiam imperavit, ut à protectione, defensione, communioneque *Hæreticorum* abſtineret, alioquin easdem cenſuras & pœnas *Eccleſiaſticas* in eum pronunciaret. *Bin. To. 7. p. 792.*

“ *the Pope's Legate*, by the “ *Apoſtolick Authority*, doth “ admoniſh and command the “ *King of Arragon* to abſtain “ from the Protection, Defence “ or Communion of *Hereticks*,

threatning that “ otherwise he would pronounce a- “ gainſt him the ſame *Cenſures* and *Eccleſiaſtical Pu- niſhments* which are denounced againſt them. Yea the *Pope* himſelf informs him, that if he proceeded to

(d) *Nec nos tibi contra Fidei Chriſtiana negotium poſſemus parcere vel deferre, quantum enim tibi immineret periculum, ſi Deo & Ec- cleſiæ, præſertim in cauſa Fidei, te opponeres---* moderna poſſunt te exempla monere. *Concil. To. XI. p. 95.*

be a (d) *Favorer of Hereticks*, “ he could not ſpare him, nor “ delay his *Puniſhment*; and “ that he might by the Exam- ple of others, who of late had “ oppoſed themſelves to *God*

“ and the *Church*, perceive what great danger han- “ ged over his head. The occaſion of all this was as followeth; *Peter*, King of *Arragon*, ſolicits for *Raimund*, Count of *Toloſe*, that he might be received in-

(e) *Ut Comes Convenarum reſtituatur ad terram ſuam, ut Comes Fuxenſis reſtituatur ad ſua. Concil. To. XI. p. 82. Pro certo intelleximus, quòd Comes Convenarum Fœdus cum Hæreticis & eorum Fautoribus contraxiſſet, conſtâtque de Comite Fuxenſi, quòd Hæreticorum exitit à longo tempore Receptator, p. 83.*

to the *Church*, and for the (e) *Counts of Cominges* and *Fux*, “ That they might be re- “ ſtored to their own again. To this the *Council* answer, “ That Count *Cominges* had “ made a League with *Hereticks*

“ and their *Favorers*, and that the *Count of Fux* was “ a *Receiver* of them, and therefore his *Majeſty* ought “ not to intercede for them till they have ſatiſfied the “ *Church*. Whereupon the *King* ſides with them, endeavoring to obtain by Force, what by Petition he could

could not obtain. In the year 1214. a *Council* met at (f) "*Montpellier*, of five

" *Archbishops*, and 28 *Bishops*,
 " who chuse the *Count* of
 " *Montfort*, *Prince* and *Monarch*
 " of the *Dominions* of the
 " *Count of Tolose*, the foremen-
 " tioned *Favorer* of the *Albigen-*
 " *ses*, " desiring the *Pope's Legate*
 " to confirm their choice. He,

having no *Instructions* touching
 this matter, acquaints the *Pope* with their *Request*,
 who doth immediately commit to him the *Custo-*
dy and allow him the *Benefit* of those *Dominions*,
 referring the matter of the *Title* to the *Decision* of
 the *Fourth general Council* of *Lateran*, then called,
 and the next year assembled, which resolves the *Case*

thus; " That the *Pope* shall absolve the *Subjects* of *Concil. To. XI.*
 " such *Favorers* of *Hereticks* from their *Allegiance*, p. 148, 149.

" and expose their *Territories* to be enjoyed by *Ca-*
 " *tholicks*, who, having destroyed the *Hereticks*, shall
 " possess it without any *Contradiction*, so that no
 " *Injury* be done to the *Principal Lord*; who in this
Case was the *French King*. In a *Council* held in the
 Province of (g) *Narbon*, *An.*

Dom. 1227. " *Raimund* the *Son*

" of *Raimund*, *Count* of *Tolose*,

" the *Count* of *Fux*, the *Here-*

" *ticks* of *Tolose*, and the *Recei-*

" *vers*, *Believers*, *Favorers*, *De-*

" *fenders* of them are denoun-

" ced excommunicate by *Bell*,

" *Book* and *Candle*, and are exposed, as to their *goods*

" and *persons*, to every one that can seize on them.

(f) In hoc tandem omnium & singulorum
 vota & consilia convenerunt, ut nobilem Comi-
 tem Montisfortis eligerent in totius terra illius
 Principem & Monarcham. — postquam ergo
 Archiepiscopi & Episcopi elegerunt prænobilem
 Comitem, instantissimè requisierunt à Legato,
 ut ipse statim traderet totam terram eidem Co-
 miti. — Dominus Papa — commendabat Comiti
 Montisfortis custodiendam, donec in Concilio ge-
 nerali, quod in Kalendis Novembris illius anni,
 Romæ convocaverat, de terris prædictis plenius
 ordinaret. Concil. To. XI. p. 104.

(g) Statuimus & præcipimus observari di-
 strictè. ut Raimundus, filius Raimundi, quon-
 dam Comitis Tolosani, Comes Fuxensis, &c. To-
 losani Heretici, Credentes, Fautores, Defenso-
 res & Receptatores eorundem, Candelis accensis,
 pulsatis Campanis, denuncientur excommunicati,
 & expositi cuilibet occupanti, tam in rebus quàm
 in personis per singulas Parochias, singulis di-
 ebus Dominicis & Festivis. Concil. Narbon.
 Can. 17. Concil. To. XI. p. 308.

A. D.

(h) *Michaelem Palæologum, qui Græcorum Imperator nominatur, tanquam eorundem Græcorum, antiquorum Schismaticorum, & in antiquo Schismate constitutorum, & per hoc Hereticorum, necnon & Hæresis ipsorum ac Schismatis antiqui Fautorem, de fratrum nostrorum Concilio denunciamus Excommunicationis Sententiam latam à Canone incurrisse, ac ipsius fore Sententiæ vinculo innodatum. Ceterum universis & singulis Regibus, Principibus, Ducibus, &c. & cæteris omnibus cujuscunque sint præeminentiæ, conditionis aut statûs, ---districtius inhibemus, nè cum eodem Michaele Palæologo, in hujusmodi Excommunicatione manente, societatem vel confederationem aliquam contrahere sub quovis ingenio vel machinatione præsumant; --omnes & singulares personas contrarium facientes — Sententiam Excommunicationis, quam nunc in ipsos ferimus, volumus incurrere ipso facto — & nihilominus societates confederationum ipsas, etiamsi pœnarum & juramenti adjectione, vel quacunque fuerint aliâ firmitate vallatæ, decernimus irritas & inanes.* Mart. Const. Unic. Bull. Rom. To. I. p. 182, 183. §. 1, 2, 3.

A. D. 1281. (h) *Martin* the Fourth doth pass the Sentence of Excommunication, actually incur'd, against "*Michael Palæologus*, as being a *Favorer* of those *Schismaticks*, the *Greeks*, and therefore a *Maintainer* of *Hereticks*, and of their *Heresies* and *Schisms* — and he moreover doth command all *Kings*, *Princes*, *Dukes*, &c. and all other *Persons*, of what *Dignity*, *Condition* or *Estate* soever, under the *Penalty* of the same *Excommunication*, to make no *Leagues* or *Confederacies* with him; pronouncing all such *Confederacies* null and

"void; though they have been confirmed with an
"Oath, or any other firmness whatsoever.

Extrav. Com. l. 5.
tit. 10. cap. 3.

A. D. 1307. *Clement* the Fifth, by the Advice of his Brethren, doth pass the very same Sentence upon *Andronicus Paleologus*, the Emperor of the *Greeks*, for the same Crime.

Spond. Annal.
To. I. p. 418.
§. 2.

A. D. 1326. *Castrutius*, Governor of *Luca*, is condemned by the *Pope's* Legate, as a *Persecutor* of the *Church*, and a *Favorer* of *Hereticks* and *Schismaticks*, and is deprived of all his *Dignities*, and exposed to every one that would fall upon him.

16. p. 791. §. 1.

A. D. 1425. *Martin* the Fifth pronounceth a most heavy and severe Sentence against the Person and Kingdoms of *Alphonsus*, King of *Arragon*, as being a *Favorer* of *Schism*.

A. D.

A. D. 1512. *Julius* the Second, having notice that the King of Navar favored the *Enemies* of the Church, he recurr'd to that last Remedy which is wont to be used against *Rebellious Princes*, execrating the King and *Queen* of Navar, depriving them of their Dominions, and exciting all *Princes* to seize upon the common Prey. * *Henry* the Third of France spared the Bloud of *Protestants*, and refused to declare his Successor incapable of the Succession, though he was a *Protestant*; wherefore *Sixtus* the Fifth, A. D. 1585. excommunicates him as a manifest Favourer of *Hereticks*, and grants Nine years of true Indulgence to any of his Subjects who would bear Arms against him, and doth absolve them all from their Allegiance to him. Upon this, his Subjects rebell against him, and *Frier Clement* murders him.

Apud Spond. To. 2. p. 297. §. 23.
* *Tanquam Secretariorum Fautorem & Defensorem publicum & manifestum. Vide Thuan. l. 82. p. 45. Bull. Sixti 5. edit. A. D. 1585.*

A. D. 1592. *Clement* the Eighth declares, that *Henry* the Fourth of France was unworthy of the Kingdom, as being a Destroyer of the *Orthodox Faith* and a Favourer of *Hereticks*, and therefore he commands the Election of another.

Spond. ibid. p. 875. §. 4.

A. D. 1570. (i) *Pius* the Fifth "declares *Q. Elizabeth* a "*Heretick* and a Favourer of *Hereticks*, and for that Cause deprived of all Dominion, Dignity and Privilege whatsoever, and her Subjects absolved from their Oaths, and from all Duty, Allegiance and Obedience, by that Oath due unto her.

(i) *Declaramus prædictam Elizabetham Hæreticam, Hæreticorumque Fautricem, prætenso Regni prædicti jure, nec non omni & quocunque Dominio, Dignitate, Privilegiisque privatam, & etiam Procures, Subditos & Populos dicti Regni qui illi quomodocunque juraverunt, à Juramento hujusmodi, ac omni prorsus Dominii, Fidelitatis, & Obsequii debito, perpetuo absolutos. Bull. Pii Quinti. Bullar. To. 2. p. 303.*

§. XVIII. Let it be then considered, that though Councils join with Popes in the making of Canons,

F

yet

yet by the *Constitutions* of that *Church* the *Pope* alone is he to whom belongs the Execution, and the Authentical expounding of those *Canons*, as they must be reduced to practice: And that the *Pope* is autho-

(k) *Nos enim unum Ecclesiæ corpus sumus, & ipse hujus corporis caput sub Capite Christo, quicquid igitur fit ab hoc corpore Ecclesiastico, ab ipso magis quam ab alio corporis membro procedere censetur, itaque non secus Synodalia Decreta pro suo debito & honore exequi debet, ac per alios servari facere, quam si ab ore proprio dictata & promulgata essent.* Resp. Synod. Basil. apud Binium, To. 8. p. 141. A. C. D.

Quoties aliqua de universali Synodo aliquibus dubitatio nascitur, ad recipiendam de eo quod non intelligunt rationem, ii qui salutem animæ suæ desiderant, ad Apostolicam Sedem pro recipienda ratione conveniant. Decret. part. 1. dist. 17. cap. 4. *Si quid eos de judicio universalis Synodi quod Constantinopoli per primam nuper elapsam indictionem actum est, fortè movebat ad Sedem Apostolicam Electis aliquibus de suis qui dare & accipere rationem possent dirigere debuerant.* Decret. part. 2. caus. 23. qu. 5. cap. 43.

Si in his recipiendis aliqua difficultas oriatur, aut aliqua inciderit quæ declarationem, quod non credit, aut definitionem postulant, confidit Sancta Synodus B.R. Pontificem curaturum, &c. Synod. Trident. Sess. 25. p. 648.

rized by their (k) *Councils*, both to interpret and to execute their *Canons* during the Interval of their *Sessions*. And then, this being well considered, you will find reason to conclude, that their whole *Church* is very much concerned in what the *Popes* do practise by virtue of those *Canons*, or in pursuance of them. And unless that Practice of the *Popes* in Execution of the *Canons*, which is allowed by *Councils* themselves, during the Intervals of their sitting, may be reputed the Practice of their *Church*, I cannot imagine how they can impute any thing to their *Church* which is not done

in *Councils*: And if that onely which is done in *Councils* must be reputed as done by the *Church*, the *Church* must wholly be unactive in the Intervals, and unable to exercise any Authority by virtue of such *Canons* as have no *Authentical Expositor*, and no man authorized to execute them.

§. XIX. Moreover though any *Prince*, who hath embraced the *Romish* Faith, should promise not to prosecute his *Protestant* Subjects according to the te-

nor

nor of these severe and sanguinary Laws, yet cannot his most solemn Promises give to them any just Security of Freedom and Exemption from these Punishments. This will sufficiently appear, if we consider,

I. *That the same impulse of Conscience that makes a man a R. Catholick, will also make him act like one, when he hath opportunity to doe it; it therefore must engage him to believe that the Decrees of (1) general Councils concerning the Punishment of Hereticks must in themselves be just and equitable, and fit to be observed by him, and that the practice of the whole Roman Church, pursuant to them, for the space of three whole Centuries, must be a cogent Demonstration of the Reception and Approbation of those Laws throughout all Catholick Kingdoms, that he who doth not punish Hereticks, according as these Laws require, must be guilty of the Crimes with which these Laws do charge him, and well deserves the Punishments they have decreed against him; and that whosoever doth exterminate and punish Hereticks, as they encourage him to doe, shall certainly obtain the Blessings which they promise to him for that Act.* How can a Po-

(1) *Nec quisquam illud dicere præsumat quòd aliquod generale Concilium legitime congregatum errare possit, quia si hic perniciosus Error admitteretur tota Fides Catholica vacillaret, nec aliquid certi in Ecclesia haberemus, quia qua ratione errare potest unum, possint errare & reliqua Concilia. Basil. apud. Bin. To. 8. p. 128. Blasphemia esset, si quis negaret Spiritum Sanctum dictare Sententias, Canones & Decreta Conciliorum. Ibid. p. 131. Hereticum illum fateri debetis qui putat Concilium generale in his quæ ad Fidem seu bonos mores N. B. pertinent posse errare, p. 135. Est certa regula, indeficiens mensura, Cunctos fideles rectissime regulans, quæ credenda aut agenda sunt saluberrimè demonstrans, p. 206. De Hæresi suspectum rogari vult Concilium Constantiense utrum credat quòd illud quod Sacrum Concilium universalem Ecclesiam representans approbat in favorem Fidei & salutem Animarum sit ab universis Christi fidelibus approbandum & tenendum, & quòd condemnat esse Fidei & bonis moribus contrarium hoc ab iisdem esse tenendum pro condemnato. Sess. 45. Bin. Concil. To. 7. p. 1124. Cetera item omnia ab Oecumenicis Conciliis, ac præcipue à sacrosancta Tridentina Synodo tradita, definita & declarata, indubitanter recipio, atque profiteor; simulque contraria omnia, atque Hæreses quasunque ab Ecclesia damnatas & rejectas & anathematizatas, ego pariter damno, rejicio & anathematizo. Pii quarti forma Juramenti professionis fidei ab Ecclesiasticis R. Ecclesiæ suscepti.*

popish Prince abstain from thus reflecting with himself? Either the *R. Councils provincial and general*, and the great *Monarch* of the *Church* doe well in animating and exciting all *R. Catholicks* to fight against all *Hereticks*, expell them out of their *Dominions*, and execute these *Laws* upon them; and in proposing the *Rewards* forementioned, as *Blessings* certainly to be obtain'd by all who do engage under the *Banner* of the *Cross* for their *Destruction*. And all the *Roman Catholicks* did well, who, in *Obedience* to their *Commands*, and *Expectation* of these *Blessings*, hazarded, and lost their *Lives*, by their *Endeavors* to extirpate *Hereticks*, or who did *murther* and *massacre* so many *millions* of *Hereticks*. And consequently, I also shall do well, and may expect these *Blessings*, by acting as they did; or else these *Popes* and *Councils*, and all those *R. Catholicks* who fought, or acted, or did encourage others to act thus against all *Hereticks*, were truly guilty of all the *Christian* *Bloud* which in those *Wars*, between the *Heretick* and *Catholick*, was spilt, and all the barbarous *Massacres* and horrid *Murthers* which have been committed upon *Hereticks*. And if so, Why do I own that *Church*, that *Pope*, those *Councils*, who have been guilty of these horrid *Crimes*, and these notorious *Marks* of *Antichrist*; and which hath often *sainted*, but never in the least discountenanced, but kept communion and good correspondence with the *Authors* of them.

2. This further will appear, if we consider that the same *Principles* which do oblige a *Popish Prince* to own that *Faith*, oblige him also to execute these sanguinary *Laws* upon the *Heretick*, whatsoever *Promises* or *Obligations* he hath made unto the contrary. That he is subject to a *Power* which can absolve him

him from all Obligations of this nature which he at any time shall make, and which already he hath declared that it is not in his power to make them, or to observe them when they have been made. That they are prejudicial to that *superior Tribunal* of the Church to which he must be subject, and made concerning *Hereſie*, of which, as being a Spiritual Concern, he must not judge, nor of the Punishments belonging to it, or of the Lawfulness of the Suspension of those Punishments. All this 'tis easie to demonstrate. And,

1. According to plain Reason, *When two Princes, that have distinct Tribunals, make Laws or Constitutions thwarting one the other, the Constitutions of the inferior Tribunal must give place to those of the superior*: but by the Principles of the Communion of the Roman Church, the Ecclesiastical Tribunal is superior to that of Princes; since then it is decreed by that Tribunal, as we have seen already, that all Catholic Princes shall faithfully endeavour to extirpate *Here-ticks* from their Dominions, and that all Constitutions made to the contrary are *ipso facto* void; no Constitutions made by Princes in favor of Heretical Subjects can be observed by them, or be of any moment in prejudice to the Determinations of the superior Tribunal of the Church. Now that, according to the Principles of R. Catholics, the Ecclesiastical Tribunal is superior to that of Princes, is evident,

1. From express Declarations of the Church in her most general and approved Councils. (m) *Ægidius Viterbiensis* saith, with the great applause and approbation of the Fifth Lateran Council under Julius the Second, that no Kings, or Princes can neglect the Commands, or re-

(m.) *Cujus quidem nulli Reges, nulli Principes possunt vel Decreta contemnere, vel Jussa negligere, vel Autoritatem detrectare.* Apud Bin. To. 9. pag. 11.

fuse the Authority of their general Councils. The Coun-

(n) *Ipsa Synodus in Spiritu Sancto legitime congregata—potestatem à Christo immediate habet, cui quilibet, cujuscunque statûs vel dignitatis, etiamsi Papalis existat, obedire tenetur in his quæ pertinent ad fidem & extirpationem dicti Schismatis, & reformationem generalem Ecclesiæ Dei in capite & membris.* Concil. Const. Sess. 4, 5. Basil. Sess. 2.

“ bound to yield obedience to, in matters which concern Faith, the Extirpation of the present *Schism*, “ and the Reformation of the *Church*. The general

(o) *Hæc Sancta Synodus in virtute Omnipotentis Dei, à quo super omnes Christi fideles immediate potestatem vindicat, &c.* Concil. Basil. Sess. 12. Bin. To. 8. p. 39. F. *Veritas de potestate Concilii generalis universalem Ecclesiam representantis super Papam, & quemlibet alium, est veritas fidei catholicæ—virtutibus duabus prædictis pertinaciter repugnans, est censendus Hæreticus.* Ibid. Sess. 33. p. 95. F. A. *Hic Articulus de quo disceptamus fidem concernit, qui sine interritu salutis negligi non potest.* Ibid. Epist. Synod. p. 139.

cil of (n) *Constance* declares, that, “ being a general *Council*, “ it hath Power immediately “ derived from *Christ*, which “ every person of what State “ or Dignity soever he be, even his *Holiness* himself, is

Council of (o) *Basil*, in the second Session, renews the same Decree : and, Session the 12th, doth challenge, “ by virtue of “ the Omnipotent God, immediate Power over all faithfull “ *Christians* : and, Session the 33^d they declare this to be “ a Doctrine of the *Catholick Faith*, “ which he that pertinaciously

“ resists is a *Heretick* : and Session the 45th they add, “ that it is an Article which cannot be neglected, without the loss of Salvation.

2. This will appear from expresse Acts of Jurisdiction exercised by them over *Kings* and *Princes*, for to omit the frequent *Excommunications*, and Sentences of Deprivations pass'd upon *Emperors* and *Kings* in the Fourth general *Council* of *Lateran*, Can. 3. in the general *Council* of *Lions*, Concil. To. XI. p. 645. in the *Council* of *Pisa*, Sess. 14. in the general *Council* of *Constance*, Sess. 12, 17, 37. of *Basil*, Sess. 27, 34, 40, 41. all which expressly have decreed, that *Emperors* and *Kings*, for Misdemeanors mentioned there, shall lose

lose their Dignity and Honor, and be deprived of their Government ; I say, to pass by this, they frequently demonstrate their supposed Power over them by laying their Commands upon them ; We enjoin Princes, saith the Fourth (p) Lateran Council, cap. 67. and the Council of Vienna. We command secular Princes, saith the Fourth Lateran Council, cap. 68. We peremptorily enjoin them, saith Julius the Second, with the Approbation of the Fifth Lateran Council. We command that they be compelled by the secular Power, saith the Fourth Lateran Council, cap. ult. and the general Council of Lions, cap. Super Cruciata.

3. Their Canon Law is full of Constitutions to this effect, declaring, that, " When the
" things of God are treated of,
" the King must study to sub-
" ject his Will to the Will of
" the Priests, and not prefer it
" before theirs ; that the Law of
" Christ subjects Kings to the
" Priesthood of Christ, and puts
" them under their Tribunals ;
" that Christian Emperors ought to subject their Exe-
" cutions to the Prelates of the Church, and not pre-
" fer them to theirs, because God would have them
" to be subject to the Priests of the Church. By the
same Law it is determined that " Kings must follow
" the

(p) Per censuram Ecclesiasticam compellantur seculares Potestates. Concil. Lat. quartum, cap. 3. Principibus injungimus, cap. 67. Precipimus Presumptores hujusmodi, per Principes seculares compesci, cap. 68. Per secularem compelli precipimus potestatem, cap. ult. Principibus injungimus, Concil. Viennense apud Bin. To. 7. p. 870. Per secularem compelli precipimus potestatem. Concil. Lugdun. Bin. To. 7. p. 858. Eis (Principibus & Regibus) in virtute sanctæ obedientiæ, autoritate à Deo universali Ecclesiæ concessâ, distictè præcipiendo mandamus, Concil. Basil. Bin. To. 8. p. 207. Sacro approbante Concilio—Nos laicos—cujuscunque dignitatis, etiamsi Regalis extiterint,—peremptoriè—requirimus, Concil. Lat. quintum, apud Bin. To. 9. p. 48, 49. Cogantur omnes Principes, Concil. Trid. Sess. 25. De Retorm. cap. 20.

Lemma. In Ecclesiasticis causis Regis voluntas Sacerdotibus est postponenda.

certum est hoc rebus vestris esse salutare, ut cum de causis Dei agitur, juxta ipsius constitutionem, Regiam voluntatem Sacerdotibus Christi studeatis subdere, non præferre. Ecclesiasticam formam sequi, non huic humanitus sequenda jura præfigere, neque ejus Sanctionibus velle dominari, cujus clementiæ voluit Deus tuæ piæ devotionis colla submittere. Decret. part. 1. dist. 10. cap. 3.

Lemma. Imperatores debent Pontificibus subesse, non præesse.

Ad Sacerdotes Deus voluit quæ Ecclesiæ disponenda sunt pertinere, non ad sæculi potestates, quas si fideles sunt, Ecclesiæ suæ Sacerdotibus voluit esse subiectas. — Imperatores Christiani subdere debent Executiones suas Ecclesiasticis Præsulibus, non præferre; obsequi solere Principes Christianos Decretis Ecclesiæ, non suam præponere potestatem, Episcopis caput subdere Principem solitum, non de eorum capitibus judicare. Decret. part. 1. dist. 96. cap. 11, 12.

“ the *Church* Form, and not
 “ prescribe humane Laws to
 “ her, nor seek to domineer o-
 “ ver her *Constitutions*, but sub-
 “ mit their Necks to her Cle-
 “ mency. And, that they
 “ ought to yield obedience to
 “ the Laws of the *Church*, and
 “ not exalt their Power above
 “ her.

2. According to the Principles of that Communion, all Princes must submit to, and obey the Definitions of their general *Councils*, and the Determinations of the *Church* in Cases Spiritual, because she is their onely Guide in Spirituals: this being therefore a Spiritual Case, viz. how far the *Civil Magistrate* doth stand obliged to punish *Hereticks*, the *Romish Prince* must stand to her Determination in that matter, and therefore is obliged to act according to the Decrees forementioned which firmly are establish'd by the *Church*, whatsoever Promises or Oaths he may have made unto the contrary. Now that the Cause of *Heresie*, and of the Punishments to be inflicted on the *Heretick*, is by them judged a *Spiritual Cause*, with which the *Civil Power* must not intermeddle, is evident from that Decree of *Boniface* the Fifth, which strictly doth forbid “ all Powers, Lords
 “ temporal, and *Rectors*, with their *Officers*, to judge
 “ or take cognizance of that Crime, it being meerly
 “ ecclesiastical, or to free them out of Prison without
 “ the Licence of the *Bishops*, or *Inquisitors*, or to re-
 “ fuse to execute the Punishments enjoyned by them,
 “ or any way directly or indirectly to hinder their
 “ Process or Sentence, under the pein of *Excommu-*
 “ nication,

Sexti Decretal.
 l. 5. tit. 2. Cap.
 Inquisitionis ne-
 gotium.

“*nica*tion, which if they obstinately lye under for a
 “year, they are to be condemned as *Hereticks* ; and
 this Decree is taken into the Body of the *Canon Law*,
 and is confirmed by the general *Council of Constance*,
Sess. 45. “The Crime of *Hereſie* muſt be judged one-
 “ly by the *Eccleſiaſtical Court*, and the *Secular* muſt
 “not meddle with it, ſaith *Gregory the Fourteenth*, *Bullar. Rom.*
Conſt. 7. §. 6. *To.* 2. p. 708.

3. No Promiſes, Oaths or Engagements can oblige
 to the omiſſion of that which is our Duty, by the
 Confeſſion of all *Chriſtians*, they cannot bind, ſaith *Non juramenta,*
 their own *Canon Law*, to any thing which is againſt *ſed perjuriam poti-*
 the benefit of *Holy Church* ; for according to the De- *us dicenda ſunt,*
 termination of *Innocent the Third*, received into the *quæ contra utili-*
 Body of that *Law*, “they are not to be call *Oaths*, *tatem Eccleſiaſti-*
 “but *Perjuries*, which are attempted againſt the Be- *cam attentantur.*
 “nefit of the *Church*. They cannot bind againſt the *Decretal. l. 2.*
 Right of a *Superior*, for the ſame *Law* declares that *tit. 24. cap. 27.*
 “in any *Oath* that is taken, the Right of the *Superi-* *quia non.*
 “or muſt be ſuppoſed to be excepted ; they cannot *Juramentum*
 bind againſt the *Law*, or the *Canonical Sanctions*, *prædictum vos ex-*
 “for otherwiſe, ſaith the ſame *Law*, “it is a raſh *cuſare non poteſt,*
 “*Oath*, and is not valid. Since then, according to *in quo debet in-*
 the Doctrine of the *Church*, ’tis the Duty of all *Catho-* *telligi juſ Super-*
lick Princes to puniſh and extirpate *Hereticks* ; they *rioris exceptum.*
 cannot be obliged by any Oath or Promiſe to neg- *Ibid. cap. 19.*
 lect that Duty, ſince this Neglect is againſt *Law* *Debet ita intelli-*
 and the *Canonical Sanctions*, againſt the plain Deter- *gi, ut non obviet*
 minations of the *Supreme Tribunal*, and againſt the *juri, aliàs tan-*
 benefit of *H. Church*, no Oath or Promiſe can oblige *quam temerarium*
 them to it. And, *non obligat.*
Cap. 21. ad no-
ſtrum.

4. They who do claim a Power to abſolve *Catho-*
lick Princes from their Contracts, Leagues and En-
 gagements made to *Heretical Princes*, muſt have an

equal Power to absolve them from Contracts made with their own *Heretical Subjects*, for sure the Contracts made with Equals must be more firm than those which we have made to our Inferiors; but the *Pope* claims, and oft hath exercised this Power of *absolving Catholick Princes* from their Contracts made with other *Princes* on this account, because they were made with *Hereticks*, or Persons excommunicate. *Ergo*, &c. To give some few Examples of this matter, the Bull

(a) *Inter sollicitudines varias quibus assidue premimur, illa potissimum excitat mentem nostram, ut circa salutem animarum Christi fidelium sollicitis studiis intendamus, & ne fideles ipsi ex consortio & participatione Schismaticorum seu Hereticorum labefactari valeant, adhibeamus remedia opportuna. Ad nostrum nuper pervenit auditum, quod tam Wencelaus, Roman. & Bohem. Rex, quam Carolus R. Imperator, simul, vel successive, nonnullas confederationes, vel colligationes, seu ligas, aut conventiones cum diversis Regibus, Principibus, &c. fecerunt, & quod aliqui ex hujusmodi Regibus, Principibus, &c. tunc erant, seu postea sunt effecti Schismatici seu Heretici manifesti, & ab unitate sanctæ R. & universalis Ecclesiæ separati: nos igitur attendentes quod hujusmodi confederationes, colligationes & ligæ, seu conventiones factæ cum hujusmodi Hereticis aut Schismaticis, postquam tales effecti erant, sunt temerariæ, illicitæ, & ipso jure nullæ, & si fortè ante ipsorum lapsum in schisma seu heresin factæ fuissent, etiamsi forent juramento seu fide datâ firmatæ, aut confirmatione Apostolicâ, vel quacunque firmitate aliâ roboratæ, postquam tales, ut præmittitur, sunt effecti, eo ipso tam idem Rex, quam alii, qui forsan unâ cum eo hujusmodi confederationes & cum talibus inierunt, & ad quos tales confederationes quomodolibet extendi possunt, ab earum observatione absoluti existunt——eundem Regem & omnes alios quorum interest, vel interesse poterit, autoritate Apostolicâ, tenore præsentium declaramus fuisse & esse ab earundem confederationum, collig-*

of (a) *Urban* the Sixth concerning this matter runs thus;
 “ Amongst the many Cares
 “ which we continually are
 “ prest with, our chief concernment is, to provide fit
 “ Remedies for the preventing
 “ the Subversion of the Faith-
 “ full by consorting, or by par-
 “ ticipating with *Schismaticks*
 “ or *Hereticks*: and truly we
 “ have lately heard, saith he,
 “ that *Wencelaus*, King of the
 “ *Romans* and *Bohemians*, and
 “ *Charles* the *Emperor* have en-
 “ tred into some Confederati-
 “ ons, Leagues, Compacts or
 “ Conventions with divers
 “ *Kings*, *Princes*, *Dukes*, *Earls*,
 “ *Grandeess* and *Nobles*; some
 “ of which *Kings*, &c. then
 “ were, or afterwards have be-
 “ come manifest *Hereticks* and
 “ *Schismaticks*, being separated
 “ from the Union of the Ro-
 “ man

“ *man Church*, though not by
 “ us declared such, we there-
 “ fore, considering that such
 “ Confederacies, Leagues, Com-
 “ pacts or Conventions made
 “ with these *Hereticks* and
 “ *Schismaticks*, after they were
 “ such, are rash, void and null
 “ by Sentence of the *Law*; but
 “ if they were made before
 “ their falling into *Schism* and *Heresie*, and confir-
 “ med by an *Oath*, or by the *Apostolick See*, or by
 “ whatsoever firmness, as soon as they become guilty
 “ of these Crimes, the *King*, and all that with him
 “ have entred into these Compacts, is absolved from
 “ the observation of them, and ought not to observe
 “ them: therefore we, by our *Apostolical Authority*,
 “ declare the said *King* absolved from them, and the
 “ Compacts themselves to be wholly void and null.
 Pope *Martin* the Fifth, in his *Epistle* to (b) *Alexan-*
der, Duke of *Lithuania*, who had received the *Bohe-*
mians into his protection, writes
 thus; “ If thou hast been any
 “ waies induced to promise to
 “ defend them, know, that
 “ thou couldst not pawn thy
 “ Faith to *Hereticks*, the Viola-
 “ tors of the H. Faith; and that
 “ thou mortally offendest, if
 “ thou dost observe it. When
 (c) *Uladislaus*, King of *Hun-*
gary, had made Peace with
Amarath the *Turk* for Ten
 years, and had confirmed it

gationum, ligarum, seu conventionum observa-
tione penitus absolutos, & ad eorum observatio-
nem aliquatenus non teneri, illisque quatenus de
facto processerunt, cassamus, revocamus, ac nul-
lius esse decernimus firmitatis; & tam eidem
Regi quàm etiam omnibus huiusmodi aliis quo-
rum interest, seu interesse potest, tenore præsen-
tium districtius inhibemus, nè confederationes,
colligationes, ligas aut conventiones huiusmodi
aliquatenus observent, seu ab aliis servari quo-
modolibet permittant. Bulla Urbani Sexti, in
Biblioth. D. R. Cotton. Vide Crakanthorp:
Defens. Eccles. Angl. cap. 83. p. 626, 627.

(b) *Quòd si tu aliquo modo inductus, de-*
fensionem eorum suscipere promisisti; scito, te
dare fidem Hæreticis, Violatoribus sanctæ fidei,
non potuisse, & peccare te mortaliter si serva-
bis. Cochleus Hist. Hussit. l. 5. ad An. 1423.
Spondan. ad An. 1422. §. 1. p. 779.

(c) *Fædus cum Amarathe in decem annos*
ab Uladislaò initum, idemque sanctissimis jura-
mentorū vinculis utrinque firmatum erat. Æ-
næas Sylv. ep. 81. Bonfin. l. 3. dec. 6. Spon-
dan. ad An. 1444. §. 3. p. 904.

(d) *Æn. Sylvius ait Eugenium R. Pontificem* — eâ re auditâ, scripsisse Juliano, nullum valere fœdus quod se inconsulto cum hostibus Religionis percussum est, Uladislao Regi, uti conventa dissolveret, imperasse, juramenta remisisse, novum instaurari bellum tum precibus, tum minis extorsisse. *Spond. ad An. 1444. S. 10. p. 907.* Julianus Cardinalis ait fas esse quandoque publicæ salutis gratia, neque stare pactis quæ illi contraria, neque perfidis fidem servare — ac nè quâ Rex, proceresque tenerentur jusjurandi Turcis præstiti Religione, eâ se illos auctoritate Pontificis, cujus legatione fungebantur, liberare. *Spondan. ibid. p. 905.*

fall upon the *Turk* unawares, which he observing, and, being straitned in his Armes, pulls out the Articles of the Covenant, and, looking up to Heaven, cries out, (e) “ O crucified

(e) *Hæc sunt, Jesu Christe, fœdera quæ Christiani tui tecum percussere, per nomen tuum sanctè jurantes, nunc, si Deus es, tuas, measque hinc injurias, te quæso, ulciscere. Bonfin. Ibid.*

“ *Jesus*, see the perfidiousness
“ of this Nation, which, against
“ their Oath, have violated all
“ Right and Faith; and if thou

“ art a *God*, do thou revenge this *Perjury* upon them, which was no sooner said but the *Christians* were put to flight, the perjur'd *King*, and the *Cardinal* who persuaded him to violate his Oath, were both slain; *God* teaching us by this Example, saith * *Æneas Sylvius*, that Oaths are to be kept, when made, not onely with the Faithfull, but with Enemies. Pope

* Juramenta non solum domesticis fidei, sed & hostibus servanda. Ibid.

A. D. 1213.

Innocent the Third, in his *Epistle* to *Peter*, King of

(f) *Serenitati tuæ, in virtute Spiritûs Sancti, sub obtentu Divinæ ac Apostolicæ Gratiæ providimus injungendum, ut prænominatos deserās Tolosanòs, non obstante promissione, vel obligatione quacunque præstitâ, in elusionem Ecclesiasticæ Disciplinæ; ipsis quamdiu tales extiterint non impensurus consilium, auxilium vel favorem. Concil. To. XI. p. 94.*

Arragon, writes thus: (f) “ We
“ enjoin thy Serenity, by virtue of the *Holy Spirit*, that
“ thou desert the forenamed
“ People of *Tolose*, and that
“ thou dost not afford them
“ any

“ any Counsel, Aid or Favor, whilst they continue
 “ as they are, notwithstanding any Promise or Ob-
 “ ligation whatsoever made unto them, in elusion
 “ of the *Ecclesiastical Discipline*. *Paul* the Third, in
 his *Bull* against *Henry* the Eighth, edit. A. D. 1538.

(g) “ exhorts and requireth, in
 “ the Lord, all *Christian Princes*
 “ shining in Imperial or Regal
 “ Dignity, that they do not
 “ under pretence of any Con-
 “ federations or Obligations
 “ whatsoever, although corro-
 “ borated by frequently repea-
 “ ted *Oaths*, or any other firm-
 “ ness, I say, he doth exhort
 them “ not to yield to King
 “ *Henry*, his Accomplices, Fa-
 “ vorers, Adherers, Consultors
 “ or Followers, or any of them,
 “ by themselves or others, open-

ly or secretly, directly or indirectly, tacitly or ex-
 “ pressly, any Counsel, Aid or Favor: And that they
 might not think themselves obliged so to doe, he
 “ absolves them all from all Oaths or Obligations
 “ made or to be made unto him or them, and de-
 “ clares them to be void and null and of no strength
 “ and moment. And lastly, *Pius* the Fifth absolves
 not onely all the Subjects of Queen *Elizabeth*, but
 also “ all others who had in any sort sworn to her.

5. They who do claim a Power to absolve Sub-
 jects from these Promises and Oaths by which they
 were obliged to yield Obedience to their *Heretical*
Princes, must have an equal Power to absolve *Catho-*
lick Princes from their Promises and Oaths made to

(g) Omnes & singulos Christianos Principes, quacunque etiam Imperiali & Regali Dignitate fulgentes, hortamur &, in Domino, requirimus, — nè Henrico Regi per se, vel alium seu alios, publicè vel occultè, directè vel indirectè, tacitè vel expressè, etiam sub pretextu confederationum aut obligationum quarumcunque, etiam juramento, aut quavis aliâ firmitate roboratarum & sæpius geminatarum, consilium, auxilium vel favorem quomodolibet præstent. Bull. S. 15. ubi supra.

A quibus quidem obligationibus & juramentis omnibus, nos eos & eorum singulos — per præsentem absolvimus, ipsasque confederationes & obligationes tam factas quàm in posterum faciendas, — nullius roboris vel momenti, nullasque, irritas, cassas, inanes, ac pro infectis habendas fore decernimus & declaramus. Ibid.

Ceteros omnes qui illi quomodocunque juraverunt. Vide supra S. 17.

Heretical Subjects, for sure the Obligation of *Princes* to their *Subjects* cannot be greater than is that of *Subjects* to their *Prince*: Now it is known, that *R. Popes* and *Councils* claim the Power of absolving *Subjects* from that Obedience which they have sworn to yield to their *Heretical Superiors*: Ergo, by the same *Principles* they must have Power to absolve *Catholick Princes* from those Promises and Oaths which they have made to their *Heretical Subjects*. To give some

(h) *Absolutos se noverint à debito fidelitatis, & totius obsequii. quicunque lapsis manifestò in hæresin, aliquo pacto, quacunque firmitate vallato, tenebantur obstricti. Decretal. l. 5. tit. 7. cap. 16.*

Instances of this kind, (b) “ Let “ them know, saith *Gregory the Ninth*, “ who were bound by “ any Bond, how firm soever, “ to persons manifestly fallen

“ into *Herésie*, that they are absolved from that Fidelity, Obedience and Homage which they were obliged to pay them: and this Decree is put into the Body

(i) *Tota Ecclesia plusquam quatuor sæculis hoc Decretum recepit, laudavit, & in praxi servavit. Discuss. Decret. Concil. Lat. p. 98.*

of the *Canon Law*, and hath, saith (i) *Singleton*, been still commended and observed in the *Church practice* about 400 years.

The Truth and Modesty of which Assertion as to the Limitation of it to 400 years, will be abundantly made good by these following Instances.

In the Eighth Century, *Sigonius* and others do inform us, that (a) “ *Rome*, and

(a) *Ita Roma, Romanisque Ducatus à Grecis ad Romanum Pontificem, propter nefandam eorum hæresin impietatemque pervenit. Sigon. de Regno Italiæ, lib. 3. Et rursus. Extabant præclara Gregorii 2. & 3. exempla, qui Leoni Isauri Imperatori Sacris interdiceret, & juratâ Italiæ obedientiâ spoliare non dubitarant, uno eo crimine, quod Imaginibus se inimicum præbuisset, l. 9. p. 219.*

“ the *Roman Dutchy* were lost “ by the *Grecians*, by reason of “ their wicked *Herésie*, and got “ by the *Pope of Rome*. That wicked *Herésie* of *Leo Isaurus*, which lost him the *Empire* of the West, was this, that he forbade the Adoration of Images, and pull’d them down everywhere,

everywhere, for this (b) *Gregory* the Second persuades the *Italians* to revolt from him, as being a *Heretick*, absolves them from their Oaths of Obedience to him, and strictly doth forbid them to pay him any Tribute or Obedience; whereupon they, rejecting the *Emperor*, do bind themselves by Oath to be obedient to the *Pope*. This is the Title by which the *Pope* holds *Rome* at present, even plain Rebellion and tyrannical Invasion of his Sovereigns Estate and Dominions. Now "by this Action, saith *Baronius*, he left to posterity a worthy Example, that *Heretical Princes* should not be suffered to reign in the *Church* of *Christ*, if, being warned, they were found pertinacious in Error. The next Successor of *Gregory* the Second, was (c) *Gregory* the Third, who "as soon as he "had obtained the Papal Dignity, by the consent of the "Roman Clergy, deprived *Leo* the Third, *Emperor* of *Constantinople* both of his *Empire* "and the Communion of the "Faithfull, because he had "swept away the H. Images out of the *Church*.

In the Eleventh Century, *Gregory* the Seventh writes thus, (d) "either King "Philip of *France*, rejecting the "filthy Merchandise of *Symoniacal Hereſie*, will permit fit "persons to be chosen into the "Government of the *Church*,

(b) *Romanis ipse persuadebat, si perstiterit Leo, ab eo tanquam Hæretico deficiant, ac tandem Italos jurejurandi religione absolvebat. Blond. Decad. 10. lib. 1. Ità dignum posteris reliquit exemplum nè in Ecclesia Christi regnare sinerentur Hæretici principes, si, sæpe moniti, in errore persistere, obstinato animo, invenirentur. Baron. An. 730. §. 40.*

(c) *Hic statim ubi Pontificatum iniit, Cleri Romani consensu N. B. Leonem Tertium, Imperatorem Constantinopolitanum Imperio simul, & Communione Fidelium privat, quòd sanctas Imagines è sacris ædibus abrasisset, & Statuas demolitus esset, quòdque etiam de hominibus malè sentiret. Platina. p. 99. Italia ab Imperatore Constantinopolitano, Leone hæretico Ichnomacho, Auctore Gregorio Tertio, Papa defecit. Onuphrius ad An. 731.*

(d) *Aut Rex ipse, repudiato turpi Symoniacæ hæresis mercimonio, idoneas ad sacrum Regimen personas promoveri permittet, aut Franci pro certo, nisi fidem Christianam abjicere maluerint, generalis Anathematis mucrone percussi, illi ulterius obtemperare recusabunt. Greg. 7. Epist. l. 1. Ep. 35. Concil. To. 10. p. 34.*

" or

“ or the *French* will refuse to obey him any longer ,
 “ unless they had rather cast away the *Christian Faith*,
 “ being smitten with the Sword of a general *Anathe-*
 “ *ma*. Where you see plainly, that the *Pope* supposes
Hereſie to be a Crime ſufficient not onely to juſtifie
 Subjects in their refusal of Obedience to their law-
 full *Prince*, but alſo to juſtifie him in excluding them
 from the Communion of *Chriſtians* who obey him.

In the Twelfth Century, to give the better Color
 to the Depoſition of *Henry* the Fourth and *Henry* the
 Fifth, it was firſt voted in a *Council* held at the *Late-*
 Bin. To. 7. p. 533. *ran*, 1102. that it was *Hereſie* to aſſert the Right of
 Lay-men to inveſt into Eccleſiaſtical Preferments. And

(e) *Diſtante Spiritu S. inveſtiturum omnem*
rei Eccleſiaſtica de manu laica, hæreſin eſſe judi-
camus. Concil. Vien. Bin. To. 7. p. 549.

this Decree was renewed in a
Council held at (e) *Vienna*,
Anno Domini, 1112. and by
 another held at the *Lateran*,

Pag. 554.

A. D. 1116. and, in purſuance of theſe Decrees, were
 theſe two *Emperors* depoſed. But notwithstanding all
 the Thundrings of *Paschal* the Second againſt *Henry*
 the Fourth, the *Church* of *Leod* ſtood firm to him,
 which ſo incenſed the good *Pope*, that he writes to
Robert, Count of *Flanders*, to expel thoſe *Schiſma-*
ticks out of the *Church*: his

(f) *Nam in hac non tantum parte, ſed u-*
bique, cum poteris, Henricum Hæreticorum
Caput, & ejus Fautores pro viribus perſequaris,
nullum proſecto gratius Deo Sacrificium offerre
poteris, quam ſi eum impugnes qui ſe contra De-
um erexit, qui Eccleſiæ Dei Regnum auferre
conatur,—qui à Principibus Dei, ſanctis Apo-
ſtolis, eorumque Vicariis de Eccleſiæ domo San-
cti Spiritus judicio expulſus eſt. Hoc tibi, &
militibus tuis in peccatorum remiſſionem & A-
poſtolica ſedis familiaritatem præcipimus, ut
his laboribus ac triumphis ad cœleſtem Hieruſa-
lem, Domino præſtante, pervenias. *Paschal.* 2.
Ep. 7. Bin. To. 7. p. 517.

words are theſe ; (f) “ It is juſt
 “ that they who have ſeparated
 “ themſelves from the *Church*
 “ *Catholick*, ſhould be ſepara-
 “ ted from the *Churches* *Benefe-*
 “ *ces*; whereſoever therefore
 “ thou art able, do thou perſe-
 “ cute *Henry* the Head of the
 “ *Hereticks*, N. B. and all his
 “ *Favorers*, with all thy might,
 “ for

“ for truly thou canst offer no more acceptable Sacri-
 “ fice to God, than by impugning him who hath
 “ lifted up himself against God; who by the Judg-
 “ ment of the *Holy Spirit* (*O horrid Blasphemy*) is
 “ cast out of the *House of God* by the *Princes* of the
 “ *Apostles* and their *Vicars*; this we command thee to
 “ doe for the obtaining the Remission of thy Sins,
 “ and the Familiarity of the *Apostolick See*; which,
 as it seems, cannot be more effectually obtained by
 any thing than by *Rebellion* against God's *Vicegerent*,
 “ and persecuting him with all our might.

In the Thirteenth Century, in the year of our
 Lord 1245. Pope *Innocent* the Fourth assembles a ge-
 neral *Council* at *Lyons*, where he declares the Empe-
 ror *Frederick* the Second guilty

of *Heresie*, (g) “ because he vio-
 “ lated his *Oaths*, and because
 “ he diminished the Privilege
 “ granted to the Successors of
 “ Saint Peter, in these words,
 “ *Whatsoever thou shalt bind on*
 “ *earth*, &c. and contemned
 “ the *Keys* of the *Church*, which,
 “ saith he, must be *Heresie*, see-
 “ ing the *Civil Law* declares him
 “ a *Heretick*, and worthy to be
 “ punished as such, who in a
 “ light matter doth deviate
 “ from the Judgment of the
 “ *Catholick Religion*. Then fol-
 lows his *Deposition* of the Em-
 peror in these words. “ We
 “ therefore, after mature deli-
 “ beration had with our Car-

(g) De *Heresi* quoque non dubiis & levi-
 bus, sed evidentibus argumentis suspectus habe-
 tur, plura siquidem eum commisisse perjuria
 satis patet. — privilegium insuper quod
 B. Petro, & Successoribus ejus in ipso tradidit
 Dominus, viz. quodcunque ligaveris, in quo
 utique autoritas & potestas Ecclesie R. con-
 sistit, pro vivibus diminueret, vel ipsi
 Ecclesie auferre satagit. — merito p. 642.
 insuper contra eum de heretica pra-
 vitate suspicio est exorta, cum — claves Ec-
 clesie contempserit, — & constanter asseruit
 se G. Papae sententiae excommunicationis non
 vereri, — cum Religiosas & alias Ecclesia-
 sticas jugi attriverit afflictione & per-
 secutione personas, — nonne igitur p. 644.
 haec non levia, sed efficacia sunt argu-
 menta de suspicione heresis contra eum, cum *He-*
reticorum vocabulo illos Jus civile contineri asse-
 rat, & latis adversus eos sententiis debere suc-
 cumbere, qui vel levi argumento à judicio *Ca-*
tholicae Religionis & tramite dete~~cti~~ sunt devi-
 are — Nos itaque, super praemissis, cum fratri-
 bus nostris, & Sacro Concilio deliberatione pra-
 habita diligenti, — memoratum Principem —
 omni honore & dignitate à Domino privatum
 denunciamus, ac nihilominus sententiando pri-

vamus, omnes qui ei juramento fidelitatis tenentur adstricti à juramento hujusmodi perpetuo absolventes, auctoritate Apostolicâ firmiter inhibendo nè quisquam de cætero sibi, tanquam Imperatori vel Regi pareat, & decernendo quolibet qui ei deinceps velut Imperatori Consilium vel Auxilium præstiterint, seu favorem, ipso facto excommunicationis vinculo subiacere. Innocent. 4. in Concil. Lugd. Concil. To. XI. p. 645.

“ *dinals* and with the *Sacred*
 “ *Council*, upon the Premisses,
 “ declare the forementioned
 “ *Emperor*—deprived by God
 “ of all Honor and Dignity,
 “ and, by our Sentence, we
 “ deprive him of them, perpe-

“ tually absolving all his Sub-
 “ jects from their *Oaths* of Fidelity to him, and by
 “ our *Apostolical Authority* forbidding them to ac-
 “ knowledge or obey him hereafter as *Emperor* or
 “ *King*; and decreeing, that all who under that
 “ Relation yield him Counsel, Aid or Favor, shall be
 “ *ipso facto* excommunicate.

Spond. To. I.
 p. 188.

A. D. 1254. *Innocent* the Fourth pronounceth an *Anathema*, on *Maunday Thursday*, against *Ecelinus*, Governor of *Marchia Tarvisina*, as being a manifest *Heretick*, and frequently excommunicated upon that account. And A. D. 1256. he gathers an Army of *Crusado's* against him.

p. 197.

Spond. To. I.
 p. 405. S. 5.

In the Fourteenth Century, A. D. 1322. *John* the Twenty second excommunicates *Matthew*, Viscount of *Milan*, his Sons and Abettors, as being *Hereticks* and *Schismaticks*, passeth upon them the Sentence of Deprivation of all their Goods, Deposition from all Office and Dignity Ecclesiastical and Secular, of Inhability to any other, and exposes their Persons to be seised upon, and treats with *Frederick* of *Austria*, King of the *Romans*, about sending an Army into *Lombardy*, to suppress them.

p. 409. S. 2.

A. D. 1323. *John* the Twenty second commands *Lewis* of *Bavaria* to cease from all Administration of the *Empire*, and never to assume it again, without the Approbation of the *Apostolick See*; and this was done,

done, as for other reasons, so in particular for this, that *Lewis* had shewed Favor and Patronage to Viscount *Galeatus*, and his Brethren, who had been lawfully condemned for *Herésie*, and to some others who had rebelled against the *Church*. *An. Do.* 1324. this *Pope* pronounces the *Emperor* contumacious and deprived of all Right to the *Empire*, reserving to himself the inflicting of other Penalties upon him, if ever he endeavour to meddle with the Administration of the *Empire*, or should presume to favor the forementioned *Hereticks* and *Rebels*, forbidding all the Subjects of the *Empire*, under most grievous Penalties, in any manner to obey him, to call him *Emperor*, or yield him any Aid or Favor. *An. Dom.* 1335. *Benedict* the Twelfth renews this Sentence of *Pope John*. And the next year the *Emperor* makes a large Promise of doing almost any thing the *Pope* would ask, and giving Power to his own Subjects to rise up against him, if he did not perform it; and yet this was not thought sufficient to expiate the Guilt of Favoring *Hereticks* and *Rebels* to the *Church* of *Rome*, and doing that which was at *Rome* esteemed *Herésie*. He therefore proceeds to confess that he had done ill in Favoring the *Viscount* of *Milan* and others condemned by the *Church* as *Hereticks* and *Schismatics*: That in his *Appeal*, made against *John* the 22^d, he had said many *heretical* things; that he would make a full Confession of these things, and would supplicate for Absolution; and take an Oath *stare mandatis Ecclesie*, to obey the Commands of the *Church*, and to extirpate *Hereticks*; and yet all this would not prevail for the obtaining of his Pardon. *A. D.* 1343. *Clement* the Sixth renews the same Sentence against the *Emperor*; and the Conditions which

p. 412. §. 3.

p. 453. §. 1.

p. 456. §. 23.

p. 457. *ibid.*

p. 474. §. 2.

An. Dom. 1344.
p. 478. S. I.

he required, in order to his Absolution, were, that he should confess his *Heresies* and *Errors*, of which he was accused, and that he should resign the *Empire*, not re-assuming it, but by the Favor of the *Pope*; that he should deliver up his Sons, Goods, and his whole concerns, into the hands and will of the *Pope*, all which the *Emperor* promised to doe; and yet this would not satisfie. A. D. 1345, and 46. the *Emperor* is again deposed, and his Subjects are absolved from their *Oaths of Allegiance* to him. So dreadfull was it even for *Emperors* to be esteemed *Hereticks*, or *Favorers* of *Hereticks*, or *Friends* to them who have been *Rebels* to the *Church of Rome*.

p. 481.
p. 493.

p. 557. S. I.

A. D. 1363. *Urban* the Fifth pronounceth *Barnabas*, Duke of *Milan*, a *Heretick* and *Schismatick*, anathematized by the *Church*, and for that cause deprives him and his Posterity of all Honor, Dignity, Privileges and Jurisdiction, absolves his Subjects from their *Oaths of Fealty* to him, and also frees his *Wife* from the Bond of Matrimony; and he subjecteth all that did aid or favor him to the same Punishments; and granteth plenary Indulgence to all *Crusado's* that would fight against him.

(h) Consideratione præmissorum, diligentium cum fratribus nostris deliberatione præhabita, ad ipsorum Amidei Fautorum proterviam extirpandam — Carolum Francorum Regem auctoritate Apostolicâ, præsentium tenore vocamus, eique Ducatum Sabaudia, omnemque ipsius Amidei, notorii Schismatici, Heretici excommunicati & anathematizati terram, ac ejus fautorum, adherentium, complicum & sequacium bona, diversimode hætenus confiscata, donamus. — Et ut tam salubre negotium in Manu forti & robusta procedat, — nos omnibus, qui cum Rege præfato, contra Amideum & sequaces eosdem, in propriis personis, propriisque expensis

In the Fifteenth Century, An. Dom. 1453. (h) *Nicholas* the Fifth, in his Epistle to all the Faithfull, by his *Apostolical Authority*, excites *Charles* the 8th, King of *France*, to extirpate the perversness of *Amideus*, Duke of *Savoy*, the *Antipope*, with all his *Favorers* and *Adherers*, as being guilty of *Schism* and *Heresie*, and being therefore

fore excommunicated and anathematized, and he moreover gives him all the Dominions and Goods belonging both to

the *Duke* and all his *Favorers*, promising full pardon of all Sins, and an augmentation of the Rewards of eternal Life, to them who would go in person with the *King of France* to fight against them; and this he did after mature deliberation had with his good Brethren the *Cardinals*.

processerint plenam suorum peccatorum veniam indulgemus, & in retributione justorum, vite aeternae pollicemur augmentum. Ep. 2. Concil. To. 13. p. 1322, 1323.

A. D. 1462. *Sigismundus Maletusta*, for the Crime of *Hereſie*, is by Pope *Pius* the Second deprived of his Dominions and all his Goods. In the ſame year, *George*, King of *Bohemia*, ſends to Pope *Pius* the Second, deſiring him to confirm the Indulgence granted to the *Bohemians* by the general *Council of Baſil*, and confirmed by *Eugenius* the Fourth, concerning the Receiving the Communion in both kinds. The Pope answers by minding him of his *Coronation Oath*, in which he had promiſed Obedience to the *See of Rome*, and commands him therefore to comply with that *Church*. The *King* replies, that indeed he had ſworn, *haereticam pravitatem è Regno abjicere*, to expell *Hereſie* out of his Kingdom, but that he never eſteemed the Receiving the Sacrament in both kinds to be *Hereſie*, and that he would live and die in the practice of it. Then the *King* enquires of the *Huffites*, whether, if War ſhould be waged againſt him upon this account, they would ſtand by him? who answer, like good Subjects, that they would doe it with their Lives and Fortunes. But putting the ſame Queſtion to the *Catholicks*, they answer fraudulently, that when the Honor of God and Juſtice was not violated, they would not be wanting

Spond. To. 2. p. 88. §. 8.

p. 87. §. 5, 6, 7.

to assist the *King* and *Kingdom*. For this the *Pope* prepares to execute his Censures on the *King*, nulls the Contract of Agreement made betwixt him and his rebellious Subjects of *Breslaw*, in which they promised submission to him, he absolves them from their Promise, commands the *King*, and all other persons, under the Penalty of Excommunication, not to hurt them, or to compell them to obey him, and exhorts all *Princes* to be assistent to these *Rebels* and *Truce-breakers*, against all Invaders. A. D. 1466. *Hynco*, one of the *King's* Nobles, being besieged by the *King* in a Town called *Zaraste*, escapes privily in the night, and flys to *Paul* the Second, who presently, in favor of this Criminal, pronounces an *Anathema* against all who did not presently quit the Seige, and the Town notwithstanding being taken, he sends *Rudolph*, his Legate, to try the *Princes* of *Germany*, whether they would not hinder the *Pope's* proceedings against *King George*; their Answer is, *that the Pope knew what was his Duty, and they would doe what became Catholicks; but that they could not break their League with him till the Church had declared him a Heretick*. In the mean time all the *Catholick* Nobility of *Bohemia* rebell against him, and desire the *Pope* to absolve them from their Oath of Obedience to him, which, when they had joyned with the Inhabitants of *Breslaw* and other *Rebels*, is granted to them, the *King* himself is cited to *Rome*, *Rudolph* is commanded to procure Aid against him, and to gather an Army of *Crusado's* for that purpose, which presently he doth, and forceth the *King* from a Town that he besieged. And, because the *King* appear'd not at *Rome*, and desisted not from persecuting the *Catholicks*, by the Advice of the *Cardinals* and all the *Doctors*,

Doctors of Divinity and of the *Canon Law*, he is pronounced a perjured, sacrilegious *Heretick*, then the *Pope* deprives him, as being a *Heretick*, of all Honor and Dignity, absolves his Subjects from their Obedience to him, and declares him and his Posterity incapable of any Dignity; and lastly, offers his Kingdom to *Casimirus* King of *Poland*.

p. 112. §. 6.

In the Sixteenth Century,
 (i) “ *Paul* the Third, *An. Do.*
 “ 1538. with the consent of his
 “ *Cardinals*, declares, that *Henry*
 “ the Eighth of *England*, under
 “ severe Penalties required his
 “ Subjects to hold some Schif-
 “ matical and Heretical Articles,
 “ amongst which this was one,
 “ That he himself, and not the
 “ *Pope*, was the Supreme Head
 “ of the *Church* of *England*.
 “ These Errors he requires him
 “ to desist from, and to abro-
 “ gate the Laws made against
 “ the *Pope*’s Supremacy; decla-
 “ ring that if he did not yield
 “ to this Injunction, he should
 “ incur the Sentence of the grea-
 “ ter Excommunication, under
 “ which Sentence if he conti-
 “ nued Ninety days, and did
 “ not within that time appear
 “ at *Rome*, he, in the space of
 “ three days after, should incur the Penalty of De-
 “ privation of his Kingdoms and Dominions passed
 “ upon him. Moreover he “ absolves his Subjects

(i) *Quasdam Leges seu generales Constitu-
 tiones edere non erubuit, per quas Subditos suos ad quosdam Hereticos & Schismaticos Artic-
 ulos tenendos, inter quos & hoc erat, Quod R. Pontifex, Caput Ecclesie & Christi Vicarius non erat, & quod ipse in Anglica Ecclesia supremum Caput existeret, sub gravibus etiam mortis penis coge-
 bat, §. 1. habita itaque cum venerabilibus Fratribus nostris S. R. E. Cardinalibus deliberatione maturâ, & de illorum consilio & assensu per viscera misericordie Dei hortamur & requirimus in Domino quatenus Henricus R. à prædictis erroribus prorsus abste-
 neat, & constitutiones seu leges prædictas revocet, casset & annullet, §. 4. hoc præcepit sub majoris excommunicationis lætæ sententiæ pœna, §. 6. nec non rebellionis & quoad Henricum R. etiam perditionis Regni & Dominiorum prædictorum, §. 7. ipsiusque Henrici R. ac Regni, omniumque aliorum Dominiorum, Civitatum, Terrarum, Castrorum, &c. Magistratus, Judices, Castellanos, Custodes & Officiales quoscunque, necnon Communitates, Universitates, Collegia, Feudatorios, Vassallos, Subditos, Cives, Incolas & Inhabitantes etiam forenses, dicto Regi de facto obedientes, tam seculares quàm si qui ratione alicujus temporalitatis ipsum Henricum R. in superiorem recognoscant etiam Ecclesiasticos, N. B. à juramento fidelitatis, jure vassallico, & omni erga Regem & alios prædictos subjectione absolvimus & penitus liberamus, §. 10. Bull. R. To. 1. p. 516. &c.*

“ from

“ from their Oaths of Fealty of Subjection to him,
 “ commanding them, under the Penalty of Excom-
 “ munication, not to obey him or acknowledge him
 “ as their *Superior*. *A. D. 1570. Pius* the Fifth de-
Vide supra, §. 17. clares “ *Queen Elizabeth* a *Heretick*, whereupon he
 “ deprives her of her pretended *N. B. Royal Right*,
 “ and all *Dominion, Dignity and Privilege* whatso-
 “ ever, and declares all her *Subjects*, and all others
 “ who had sworn to her, absolved from their Oaths,
 “ and from any *Obligation of Allegiance or Obedi-*
 “ *ence* to her. *An. Dom. 1585. Sixtus* the Fifth pro-

(k) *Navarrum & Condæum tanquam*
Seſtarios & in Errore relapsos, Seſtariorum
Fautores, ac Defensores publicos ac manifestos,
Divinaque Majestatis Reos, & Fidei Catholica
Hostes proſcribit, & Navarrum quidem omni
Jure quod in Navarræ Regno ſibi competere con-
tendit, & eâ parte quam nunc occupat excidiſſe :
Condæum autem & utriusque Suſceſſores omni
Principatûs, & Dignitatis jure in præſens
& in poſterum pariter excidiſſe, indignosque eſſe
ipſos, & eorum Suſceſſores qui in ullum Princi-
patum, ac ſpeciatiim in Regnum Franciæ ſucce-
dant, hac Sententia pronunciat, Subditosque ob-
ſequii Jramento ſolvit. Thuanus, l. 82. p. 45.

nounceth (k) “ *Henry of Na-*
 “ *var* and the *Prince of Conde*
 “ to be *Seſtaries* relapsed into
 “ *Error*, manifest *Favorers* and
 “ *publick Defenders* of *Seſta-*
 “ *ries*, that is, *Hereticks*, *Re-*
 “ *bels* to the *Divine Majesty*,
 “ and *Enemies* to the *Catholick*
 “ *Faith*; having done this, “ he
 “ deprives them and their *Po-*
 “ *ſterity* for ever of their *Do-*
 “ *minions* and *Kingdoms*, ab-
 “ solving their *Subjects* from their *Allegiance* to
 “ them, in these words, “ By the Authority of these
 “ *Presents* we do absolve and set-free all persons as well
 “ joynly as severally from any such Oath, and from
 “ all *Duty* whatsoever in regard of *Dominion*, *Feal-*
 “ *ty* and *Obedience*, and do charge and forbid all
 “ and every of them, that they do not dare to obey
 “ them, or any of their *Admonitions*, *Laws* and
 “ *Commands*. After the Death of *Henry* the Third,
 by the barbarous Murther of Fryer *Clement*, the *Pa-*
rifians send to the *Sorbon Doctors* to know if it were
 lawfull

lawfull to submit to *Henry of Borbon*, to whom the Crown of right belong'd; their Answer is at large recorded in *Thuanus*, and briefly is to this effect,

“ that *Catholicks*, by the *Divine Law*, were forbidden to
 “ admit to the Kingdom a *Sec-*
 “ *tary*, or a *Favorer* of a *Sec-*
 “ *tary*, and a manifest *Enemy* of
 “ the *Church*, much more one
 “ that had relapsed, and was by
 “ name excluded from the *Catholick Union* by the *Apostolick See*; that all who favor
 “ or assist him were guilty of
 “ damnable Sin, and would in-
 “ fallibly be damned, and all
 “ that did resist him unto blood,
 “ would dye *Martyrs*, and en-

joy an everlasting Reward in Heaven. But it is needless to multiply Examples of this nature in a case defined by two general *Councils*: First, that of *Lateran*, under *Alexander the Third*, *A. D.* 1179. which *cap.* 27. speaking of certain *Hereticks* there mentioned,

“ let all men, say they, know,
 “ who any way stand bound to
 “ them, that as long as these
 “ *Hereticks* persist in their Ini-
 “ quity, they are relaxed from

“ all Fealty, Homage and Obedience due to them.

The Second is, the Fourth *Council* of *Lateran*, under *Innocent the Third*, which, as you have already heard, declares, that “ if the *Temporal Lord* neg-

“ lect to purge his Territories from *Heretical Pravity*,

“ notice must be given of his Remisness to the *Pope*,

I

“ that

*Ad hac capita, post Spiritus Sancti invocati-
 onem, N. B. responsum, Jure Divino N. B. pro-
 hiberi Catholicos hominem Sectarium, aut Sec-
 tarii mali Fautorem, & Ecclesie manifestum
 hostem, multoque magis relapsum, & à Sanc-
 ta Sede nominatim ab Unione Catholica exclu-
 sum, ad Regnum admittere, — & quemadmodum
 qui Henrico ad Regnum aspiranti favent, aut
 Suppetiis ferunt, Religionis Desertores sunt, &
 in peccato cum vitæ æternæ dispendio degunt;
 ita qui se illi pro Religionis defensione opponunt,
 plurimum apud Deum & homines mereri, &
 ut illos in hostis generis humani Regno stabili-
 endo pertinaces, æterna pœna manet, sic hos, si
 ad sanguinis usque effusionem resistent, æternum
 in Cælo præmium, & ut Fidei Propugnatores,
 immarcescibilem Martyrii Coronam proculdubio
 consecuturos. Thuanus, lib. 98. p. 70, 71.*

*Relaxatos autem se noverint à debito fide-
 tatis & hominii, & totius obsequii, donec in tan-
 ta iniquitate permanserint, quicunque illis ali-
 quo pacto tenentur annexi. Bin. To. 7. p. 662.*

*Concil. To. XI.
 p. 148, 149.*

“ that he from henceforth may pronounce his *Sub-
jects* discharged from their Obedience, and give his
“ Dominions to *Catholicks*.

Moreover, in compliance with these *Popish Prin-
ciples*, we find that *Popish Princes*, who had made
these Promises, did notwithstanding prosecute their
Protestant Subjects with the greatest rigor, and act
clear contrary to the Engagements made unto them.
Our own Dominions will afford a sad and lamentable
Instance of this thing. For “ when the men of *Nor-
folk*, and a great Body out of *Suffolk*, desired to
“ know of Queen *Mary*, whether she would alter
“ the Religion set up in King *Edward's* daies, she
“ gave them full Assurance, that she would never
“ make any Innovation or Change, but be conten-
“ ted with the private Exercise of her own Religion.
“ And, on the twelfth of *April*, she made an open
“ Declaration in Council, That, although her Consci-
“ ence was stayed in the Matters of Religion, yet
“ she was resolved not to compell or strain others,
“ otherwise than God should put into their hearts a
“ persuasion of that *Truth* she was in; but, notwith-
standing these Engagements, as soon as she was well
established in the Throne, she presently began, and
did continually promote the Burning of her *Prote-
stant Subjects* onely for their Religion sake. Another
Instance of like nature we have in *France*; where,
notwithstanding all the *Edicts* made in favor of the

Dr. Burnet's
*Hist. of the Re-
formation*, B. 2.
part 2. p. 237.

See *The Policy of
the Clergy of
France*, p. 22.

p. 32.

p. 36.

p. 40.

p. 46.

Protestants, “ their *Temples* are demolished, they are
“ rendred incapable of all Charges of Magistrature,
“ they are abandoned to Injustice and Violence;
“ their Children are often taken up in the Streets,
“ shut up in Cloysters, and they never hear more of
“ them; they are deprived of all means of gaining
“ their

" their livelyhood , and are not allowed to be of
 " Arts and Trades, though the *Declarations* and *Edicts*
 " exprefly bear they fhall be received into them. In p. 135.
England , faith the *Hugonot* , there , " more Favor
 " hath been given to the *Catholicks* than was promi-
 " fed them ; but in *France* , where we live under fa-
 " vorable *Edicts* , they have promifed us what they
 " have not performed ; it is onely to us that they
 make profeflion of not performing what they have
 promifed ; the *Edicts* of Pacification are in all the
 forms that perpetual *Laws* ought to be , they are ve-
 rified by the *Parliaments* , they are confirmed by a
 hundred *Declarations* , and by a thoufand *Royal*
words , they have been laid as irrevocable *Laws* , and
 as *Foundations* of the Peace of the State , we rely
 upon the good Faith of fo many Promifes , and on a
 fudden we fee fnatch'd from us what we look'd upon
 as our greateft Security , thus there is neither *Title* ,
 nor *Prescription* , nor *Edicts* , nor *Arrests* , nor *Decla-*
rations , that can put us in Safety .

§.XX. But laftly, That which chiefly doth confirm
 this Truth is , the Proceedings of the general *Council*
 of *Conftance* againft *John Hus* , who being summoned
 by *Sigifmond* the *Emperor* to appear before that *Coun-*
cil , to take away all Fears and Jealoufies of what he
 might expect to fuffer from them , the *Emperor* grants *Liber Epift. Joh.*
Huff. ed. A. 1537.
f. 1.
 him *safe Conduet* , *Ut Constantiam veniens è converfo*
redire ad Bohemiam poffit , " to return from *Conftance*
 " to *Bohemia* , and promifeth he would receive him
 " into the Safeguard and Protection of the *Empire* ;
 " and commanding all *Princes* of his *Dominions* to *Ibid. f. 2.*
 " permit him freely to come thither , ftay and conti-
 " nue there , and to return from thence. But not-

withstanding this, he had not been above three weeks in *Constance*, but, contrary to his safe Conduct, he is thrown into prison; which being done in the Emperor's absence he returns to the *Council*, and argues the Case with them, upon which they pass the Decree contained in the Nineteenth Session of that *Council*,

Præfens Sancta Synodus ex quovis salvo conductu per Imperatorem, Reges, & alios seculi Principes, Hæreticos, vel de hæresi defamatis, putantes eosdem sic a suis erroribus revocare, quocunque vinculo se astrinxerint, concessio, nulum fidei Catholicæ vel jurisdictioni Ecclesiasticæ præjudicium generari, vel impedimentum præstari posse seu debere declarat, quo minus dicto salvo conductu non obstante, liceat judici competenti Ecclesiastico de hujusmodi personarum erroribus inquirere & alias contra eos debite procedere, eosdemque punire quantum justitia suadebit, si suos errores revocare pertinaciter recusaverint, etiamsi de salvo conductu confisi ad locum venerint judicii, alias non venturi; nec sic promittentem, cum alias fecerit quod in ipso est, ex hoc in aliquo remansisse obligatum, Bin. concil. To. 7. p. 1075.

in these words; " This present
" Sacred *Synod* declares that by
" whatsoever *safe Conduct*, grant-
" ed by the *Emperor, Kings*, or
" other *secular Princes* to *Here-*
" *ticks*, or such as are defamed
" for *Heresie*, and by whatsoever
" bond they have obliged them-
" selves to the observance of it
" no prejudice can arise, no im-
" pediment can or ought to be
" put to the *Catholick faith*, or
" other *Ecclesiastical Jurisdicti-*
" *on*, but that (notwithstanding
" the said *safe Conduct*) it may

" be lawful for any Competent and Ecclesiastical
" Judge to enquire into the Errors of such persons,
" and duly otherwaies proceed against them, and
" punish them so far as Justice shall require, if they
" shall pertinaciously refuse to revoke their Errors;
" yea, though they come to the place of Judgment,
" relying upon such *safe Conduct* and would not other-
" wise come thither; nor doth he, who so promiseth,
" remain obliged in any thing, *having done what lies*
" *in him*. And having passed this Decree, for the
satisfaction of the *Emperor*, they pronounce *John Hus*
guilty of *Heresy*, and thereupon seven of the *Bishops*
solemnly degrade, and *commit his soul to the Devil*, his
body

*Jam emittimus
animam tuam
Diabolo. Ibid.*

body to the *Emperor*, who commands *Ludovicus*, Duke of *Bavaria*, to deliver him up to the *Executioners*, who there-upon commit his body to the flames. The question then is whether the *Emperor* did not breake his Faith with *John Hus* in so doing, and whether the *Council* did not decree that neither he nor any else were bound to keep it in this case with *Hereticks*. And although this case be so plain and clear to all persons who have any sense of Justice and honesty, that we dare to appeal to the most indifferent persons in the world. Whether it be not a most notorious Violation of faith for *Sigismond* himself, after a solemn promise made to *Hus* of *safe Return*, to be the (a) instrument of his execution, and whether they, declaring that the *Emperor* had done what in him lay, as to the Observation of this Promise, do not expressly declare, that (b) *Emperors* cannot hinder the Execution of an *Heretick*, when *H. Church* doth interpose for his destruction, what promises soever they have made of Safety to him? Yet that which most of all confirms this truth, is the consideration of the Answers made by the Doctors of the *R. Church* to *Protestants* accusing of this *Council*, as well they might, of favoring the Breach of promise made by *Catholicks*, to such as they are pleased to call *Hereticks*; now the chief plea which *Becanus*, and after him the Author of *Labarynthus Cantuariensis* makes to free the *Councils* from this imputation, is, viz. that "by that Decree the *Council*

(a) *Aberat tum fortè Sigismundus, & certior factus graviter tulit, eoque venit, sed cum Pontificii dicerent, Non esse Fidem servandam Hæreticis, non modo remisit offensio- nem, licet Bohemi frequenter intercederent, & fidem servari peterent, sed etiam primus omnium acerbè in eum pronunciavit. Sleidan. Com- mentar. l. 3. p. 59.*

(b) *Incinerationem Joh. Hus, Imperator non æquo animo tulit, propter saluum conduc- tum ei datum. Respondit ei Sacrosancta Syn- odus eum argui non posse de fide mentita, quia Concilium ipsum non dederat ei saluum conduc- tum, & Concilium majus est Imperatore, & ideo non potuisse contra voluntatem Concilii id concedere, præcipuè in factis fidei. Nauclerus, Gen. 48. p. 272.*

*Opusc. To. 2. p. 149.
qu. 5. S. 2. 3.
Lab. Cant. p. 154.*

“ declares, that no *Secular Power*, how *Sovereign* so-
 “ ever, can hinder the Proceedings of the *Ecclesiasti-*
 “ *cal Tribunal* in Causes of *Hereſie*; and consequent-
 “ ly, if the *Emperor*, or any other *Secular Prince*,
 “ grants a *ſafe Conduſt*, or makes Promise of any
 “ thing to the prejudice of that *Juriſdiction*, it ſhall
 “ not hold. The reason is, becauſe it is a Promise
 “ made of a thing not pertaining to the *Juriſdiction*
 “ of that *Prince*, nor wholly in his Power to ſee per-
 “ formed: Which, if I underſtand any thing, is
 expreſſly to ſay, that though in Caſes properly per-
 taining to the *Prince's Juriſdiction* he muſt perform
 his Promise, yet not in this of *Hereſie*; becauſe it
 doth belong to the *Eccleſiaſtical Tribunal*: When
 therefore the *Council of Conſtance* decrees, that no
Secular Power is obliged by any *ſafe Conduſt* to any
 thing that may hinder the *Eccleſiaſtical Tribunal's*
 Proceeding in Caſes of *Hereſie*, what doth it elſe but
 declare in expreſs Terms, that *Faith* is not to be kept
 with *Hereticks*, that is, in any thing relating to their
Hereſie; for this it ſeems the *Magiſtrates* have no-
 thing to doe with: and therefore let *Kings* and
Princes make never ſo ſolemn Promiſes and Engage-
 ments to men ſuſpected of *Hereſie*, to their peril be
 it who rely upon them, for they have nothing to
 doe to promiſe in ſuch matters, and though their
Faith be given never ſo publickly and ſolemnly, they
 are not bound to keep it: Nay, they are bound not
 to keep it: For if they ſhould, it would be to the
 apparent miſchief and prejudice of the *Church*. This
 neceſſarily follows from their own words, and the
 diſtinction here uſed by them: And alſo from the
 words of the *Council*, for if no *ſafe Conduſt* of *Empe-*
rors or Kings can prejudice the Catholick Faith, or
 hin-

hinder the Ecclesiastical Jurisdiction from proceeding duly against Hereticks, and punishing them as far as Justice doth require, it cannot hinder the Execution of them by the *Magistrate* when they are given up to the *Secular Power* for that end; for, I suppose, the *Council* could not but esteem the freeing *Hereticks*, condemned by the *Church*, from civil Punishments, a *prejudice to the Catholick Faith* and an *hindrance of the Ecclesiastical Jurisdiction*, by letting them escape who by that Jurisdiction were condemned to suffer what was due to *Hereticks*. So that the plain result of all is this, That no *Prince* ought to promise Safety to the *Heretick*; But if he does so, though it be more than he can doe, yet the *Church* can make that good use of it, that by that means she may get the *Hereticks* under her Power, and when she hath them, it is but then declaring this Promise to be null, and she may doe with them as she pleases.

§. XXI. Now to give you the Description of a *Popish Prince* placed in the *Throne*, invested with the Power of the Sword, and settled in a *Kingdom*, where *Protestants*, that is, *damned Hereticks*, abound from the *Decrees* and the *Determinations* of their approved general *Councils*, and almost in their own Expressions, it is this, viz.

A *Popish Prince* is one who *as he doth desire to be esteemed a Christian*, or a true Son of the *Church*, stands bound to wait on the *Inquisitors* or *Catchpoles* of the *Church*, affording them his Aid and Favor, in finding out and apprehending, and in committing to the Gaol all *Hereticks*, with all that favor and abet them, that is, he is to doe the Office of a *Bailiff*, *Constable*, and a *Gaol-keeper* to a bloody *Bonner*, or any other Person

Person deputed by his *Holiness* for the Destruction of his *Subjects*. Moreover, as he would avoid the heavy *Censures* of the *Church*, he must oblige himself by *Oath*, not onely to rob and spoil his *Protestant Subjects* of their Goods, and put them into Chains and Fetters, but also to *exterminate them out of his Kingdoms and Dominions*, and when they are by the *Inquisitors* or *Bishops* delivered up into his hands, he must presently commit them to the Flames, that is, he must perform the Office of the *Hangman* or *Executioner* for *H. Church*. And, if he be remiss or backward in butchering his *Subjects* for their Conscience sake, he must then be deprived of all his *Dominions*, and they must be disposed of to Persons more enclined to act these bloody *Tragedies* upon them. And, lastly, if he hath bound himself by Promises or Oaths to deal more mildly with them, and to permit them to enjoy their own *Religion*, or hath engaged not to execute these Sanguinary Laws upon them, he must repent of this his horrid Wickedness, be false unto the *Oath* of *God*, and, in despite of all his Promises, he must effectually proceed to the Extermination and Destruction of them.

§. XXII. If he be backward or remiss in executing of these Sanguinary Laws, he hath his ghostly *Fathers*, the *Archbishops* and *Bishops*, who cannot, without *Perjury*, forget to spur him on to the effusion of the Blood of *Christians*; for, by the *Oath* which these *Embassadors of Peace* do take at their Admissions to their

(c) *Hæreticos, Schismaticos aut Rebelles, eidem Domino nostro, vel Successoribus prædictis, pro posse persequar & impugnabo.* Pontif. Rom. edit. Antwerp. A. D. 1626. p. 59, & 86.

Sacred Functions, they oblige themselves (c) "to prosecute and
"impugn to the utmost of their
"power all *Hereticks, Schisma-*
"ticks

“ *ticks* and *Rebels* to the *Pope*. If they be remiss in
 this matter, they, by the *Constitution* of the Fourth
 general *Council* of *Lateran*, must lose their high and
 rich *Preferments*, which, out of too much kindness Can. 3. vide su-
pra, §. 14.
 to a *damn'd Heretick*, you may be sure they will not
 doe. 'Tis from their *Importunity* that all these *San-*
guinary Laws of *Princes* had their rise, 'tis they who
 have insatiably thirsted after *Christian Bloud*, and,
 like *Death*, never said they had enough; 'tis they
 who stablished all the forementioned *Laws*, and who
 in *France* and *Germany* were still taking *Council* to-
 gether how to destroy their *Christian Brethren*, more
 righteous than themselves: “ 'Tis they who do en- Concil. Salisburg.
Can. 32. To. 13.
p. 325.
 “ courage and admonish one another carefully to
 “ execute, observe and cause inviolably to be obser-
 “ ved, by all their *Subjects*, all *Laws* made against
 “ persons infam'd or suspected of any *Heresie*, and a-
 “ gainst all *Receivers*, *Favorers* and *Defenders* of
 “ them, and against *Secular Powers*, who being law-
 “ fully required, neglect to extirpate *Heretical Pra-*
 “ vity out of their *Dominions*. And with what
 Faithfulness and Zeal they have performed, in this
 point, their *Oaths*, a few late *Instances* will shew.
 The general *Council* of *Siena*, held *A. D.* 1423. ex- Concil. To. 12.
p. 367.
 horts, invites, admonisheth all *Christian Princes*, by
 the *Bowels* of the *Mercies* of *God*, and as they de-
 sire to avoid the *Divine Vengeance*, and the *Penalty*
 of the *Law*, to be watchfull and intent to extirpate
 with all speed the *Heresie* of the *Wicklefists* condem-
 ned by the *Church*. A *Council* met at * *Paris*, un- * Concil. To. 14.
p. 441, 442, 443.
 der the *Archbishop* of *Sens*, *A. D.* 1528. and there-
 fore called *Concilium Senonense*, renews all the *De-*
crees of the Fourth general *Council* of *Lateran*, “ ex-
 “ communicating all *Hereticks*, and declaring all that
 K “ believe

“ believe not as the *Church of Rome* believes, to be
 “ *Hereticks*, condemning them to perpetual Impri-
 “ sonment, Confiscation of their Goods, and decree-
 “ ing that they shall be given up to the hands of the
 “ *Secular Magistrate*, and commanding all *Bishops* to
 “ be diligent in Execution of these Laws, and all
 “ *Governors* and *Consuls* of *Cities* to take an *Oath* to
 “ be aiding in this Work, according to their power.
 This done, they thus apply themselves unto his *Chri-*
 Francis the First. *stian Majesty*, “ We beseech the most *Christian King*
 “ by the Bowels of the Mercy of *God*, for the sin-
 “ gular Zeal, and wonderfull Affection, and incredi-
 “ ble Devotion which he beareth to the *Christian*
 “ *Religion*, he would forthwith expell all *Hereticks*
 “ out of his Dominions and Territories, and would
 p. 443. “ exterminate them; And necessary, say they, is it
 “ that all *Orthodox Princes* should bend their whole
 “ Endeavors, and exercise their whole power for the
 “ destroying and chafing away *Hereticks*, if they are
 “ willing to consult the good of *Christianity*, or fear
 “ the Ruin of the *Christian Faith*; this is sufficient
 “ to work upon their Piety if they incline that way.
 To move them to this Butchery, with hopes of tem-
 Ibid. p. 462. poral and of eternal Advantages, they let them
 know, that “ though *God* is able to destroy the
 “ *Hereticks* himself, yet such is his *Goodness*, that
 “ he would have men to be Co-workers with him in
 “ this thing, and that he amply will reward all those
 “ that are so, and that it would be tedious to re-
 “ hearse the Glory and Felicity of them who, adhe-
 “ ring stedfastly to the *Catholick Faith*, did slaughter
 “ *Hereticks*, as being the Capital Enemies of the
 “ *Crown*. And to deter them, if they be superstitious,
 with the dread of Punishments, they add, that, “ on
 “ the

“ the contrary, such *Princes* as have been favorable to
 “ *Hereticks*, and did not withstand their *Errors*, found
 “ the Vengeance of *God* against them, and, being de-
 “ stitute of his Favor, fell into grievous Calamities,
 “ and miserably ended their Lives: We therefore,
 “ considering these things, according to our Duty,
 “ do instantly exhort all *Christian Princes*, and, in the
 “ *Lord*, beseech them, that, as they desire to consult
 “ their own Welfare, to keep the Rights of their
 “ Dominions pure, as they desire to keep the People
 “ subject to them in Peace and in Tranquility, they
 “ would, with powerfull Arm, defend the *Catholick*
 “ *Faith*, and manly endeavor to subdue its Enemies;
Hoc profectò nostrum desiderium, hæc votorum summa,
hæc nostri conatûs gloria, hoc est quod totâ mente ex-
poscimus, & assiduâ precibus à Domino flagitamus, i. e.
 the Effusion of the Bloud of *Hereticks* is what we
 chiefly do desire both of *God* and *men*, and to ac-
 complish this is our chief Glory. The Council of *Mi-* Bin. To. 9. p. 449.
lan, A. D. 1565. puts up the like Petition to the *Civil*
Magistrate in these words, “ We exhort *Princes*, and
 “ the *Magistrates* of *Cities*, and by the Bowels of the
 “ *Mercies* of *Christ* our *Lord*, we pray them, that,
 “ preferring heavenly gain before earthly, they take
 “ care to forbid all Traffick and Commerce with *He-*
 “ *reticks*, in any of their *Towns* and *Cities*, and that
 “ they suffer not their *Subjects*, upon these accounts,
 “ to repair to any *Heretical Countries*, especially that
 “ they would be helpfull to, and heartily would fa-
 “ vor (that Hell above ground) the *Sacred Inquisi-*
 “ *tion*, and, being desired, would interpose their Au-
 “ thority to that end; and what more they could
 “ aske it is not easie to imagine.

But should *Popish Princes* be remiss in executi-

on of this Bloody Work, they must expect to be still quickned, if not threatned to it by that great *Malleus Hereticorum* call'd his *Holiness*. For this hath been the constant business of that *See* from the Twelfth Century till of late, to call upon all *Catholick Princes* to ruin both the Souls and Bodies of those *Subjects* who refused to obey the *Church of Rome*, or become *Subjects* to his *Holiness*. And to chastise those *Princes* who did countenance any such *Se&ts* or *Heresies*, or who refused to destroy and murther them. How industriously they have promoted, how vehemently they have excited *Princes* and other *Governors* to these inhuman Persecutions, will appear from the ensuing Instances collected from the *Annals* of their own *Spondanus*.

To. I. p. 36. §. 4.
p. 43. §. 3.

In the beginning of the Thirteenth Century the Persecution waxed hot against the *Albigenses* and *Waldenses*, by reason of the Fiery Zeal of *Innocent* the Third against them; who in the years 1208, and 1210. excited *Philip*, King of *France*, to fight against *Raimund*, the Count of *Tolose*, and to expell him with his Adherents out of his Dominions, because he was a *Favorer of Hereticks*. A. D. 1209. he promiseth to all confess'd and penitent *Crusado's*, that would take up Arms against them, the *Remission of Sins*, and *Absolution from Penance*, whereupon these *Crusado's* besiege, and take the *City of Beziers*, and destroy in it Sixty or Seventy Thousand Souls.

p. 38. §. 7.

p. 41. §. 4.

An. Do. 1211. *Innocent* the Third writes to the *Count of Tolose*, not to receive into his Territories the *Albigensian* and *Waldensian Hereticks*, declaring that, if he should neglect to obey this Command, he would give up his Dominions to be possessed by the *Exterminators of Hereticks*, as afterwards he did.

A. D.

A. D. 1229. *Gaufred*, the *Legate* of the *Apostolick See*, excites the *Citizens* of *Milan* to animadvert upon the *Hereticks*, by banishing and apprehending them, by destroying of their Houses, by Confiscation of their Goods, and other Penalties; and in the year following severe Laws were made against them there, by instigation of the *Pope*, and many *Hereticks* in *Lombardy* and *Germany* were burnt. p. 102. §. 8.

A. D. 1234. *Gregory* the Ninth excites *Ludovicus*, King of *France*, to restrain the *Albigensian Hereticks*, and, in the same year, by the Authority of the same *Gregory*, expedition is made against the *Hereticks* dwelling in the Confines of *Saxony*, *Frisia* and *Bremen*, the *Cross* is preach'd up, and the same Privileges which were granted to those who went to the *Holy Land*, were promised to those *Crusado's* who should take up Arms against the *Hereticks*. An. Do. 1235. He set forth an *Edict* against them, which caused many of them to be burnt. p. 116. §. 3.

A. D. 1238. *Pope Gregory* the Ninth excites *Bela*, King of *Hungary*, to fight against *Asanus*, Lord of *Bulgaria*, because he had revolted from the Obedience of the *Roman See* to the *Schism* and *Heresie* of the *Greeks*, and he solicits the *Crusado's*, gathered for the assistance of the *Holy Land*, to fight against him, by promising to them the same Privileges upon their expedition against him. p. 117. §. 7.

A. D. 1254. *Innocent* the Fourth sets forth divers *Constitutions* against *Hereticks* and their *Favorers*, commands the *Cross* to be preach'd up against them, and gives the same Privileges and Indulgences to all *Crusado's*, who engage against them, which had been granted by a general *Council* to those who went to the *Holy Land*. p. 120. §. 1.

- p. 364. §. 16. *A. D. 1307. Clement the Fifth sent his Legate with an Army of Crusado's against the Dulcinists, who denyed the Pope and other R. Prelates to be true Pastors, because they lived not according to the Rules of the Góspel, by which Crusado's the Dulcinists were forced up into the Alpes, where they were partly destroyed by the Sword, partly by Cold and Hunger; Dulcinus himself, with some of his Companions, being taken, they were brought to Vercelles, and there cut in pieces, and afterwards their scattered pieces were committed to the Flames.*
- p. 454. §. 4. *A. D. 1335. Benedict the Twelfth excites John, King of Bohemia, and the Bishop of Almutz, against some Hereticks who came thither out of Germany and the neighboring Places: And Edward the Third of England, against the Hereticks in Ireland, who said the Sacrament was not to be adored.*
- p. 522. §. 12. *A. D. 1352. Clement the Sixth writes to Peter de Montibus, an Inquisitor, and to all Prelates and Rectors to persecute the Hereticks in the Province of Ambrun, this Persecution makes them fly into Calabria. And An. Do. 1353. Innocent the Sixth writes to the King of Sicily to assist the Inquisitors of Heresie against them there.*
- p. 580. §. 11. *A. D. 1372. Gregory the Eleventh excites Charles the Fourth, Emperor of Germany, and other Princes of that Nation, to extirpate the Hereticks called Begardi and Bequini, who again sprang up in Germany.*
- p. 582. §. 2. *A. D. 1374. He writes to the Archbishop of Prague, and to Charles the Emperor, to punish one Malleus an Heretick and his Followers, and to assist the Inquisitors in so doing.*
- p. 586. §. 5. *A. D. 1375. The Hereticks abounding in the Provinces of Dauphine, Savoy, and other neighboring Places,*

Places ; the same Pope writes vehement Letters to the Prelates and Rectors of those Provinces , and to Charles, King of France, to labor with the Inquisitors to root them out of those Provinces.

A. D. 1377. He writes to the King of England , p. 590. §. 5. and to the Chancellor of Oxford, to extirpate the Errors of Wickliff.

In the Fifteenth Century, A. D. 1409. Alexander p. 718. §. 23. the Fifth commands the Wickliffs to be apprehended and condemned as Hereticks, by requesting the Aid of the Civil Magistrate.

A. D. 1422. Branda, a Cardinal, was sent by Martin the Fifth, to prosecute the Holy War against the Hussites. p. 779. §. 2.

A. D. 1427. Martin the Fifth gives to Henry of Winton ample Power to raise an Army of Crusado's against the Wickliffs and Hussites, promising to them the same Privileges which were granted to them who went to the Holy Land. p. 793. §. 1.

In the Sixteenth Century, When Luther came upon the Stage, Leo the Tenth, A. D. 1520. set forth a Bull against him, declaring, (d) that " since the Church of

" Rome, N.B. had translated the
 " Empire from the Greeks to
 " the Germans, she had ever
 " found the Germans to be se-
 " vere Oppugners of all Heresie,
 " witness the Decrees of the
 " German Emperors for the ex-
 " terminating Hereticks out of
 " their Dominions, the Con-
 " demnation of the Hussites,
 " Wickliffs, and Jerom of
 " Prague by the Council of Constance; Witness the

(d) Post translatum ex Græcis, à R. Eccle-
 sia, in eosdem Germanos Imperium, iidem præ-
 decessores nostri, & nos ejusdem Ecclesiæ Advo-
 catos & Defensores ex eis semper accepimus,
 quos quidem Germanos constat Hæresum acerrim-
 os Oppugnatores semper fuisse, cujus rei testes
 sunt laudabiles illæ Constitutiones Germanorum
 Imperatorum pro libertate Ecclesiæ, proque ex-
 pellendis exterminandisque ex omni Germania
 Hæreticis: Testis est in Concilio Const. Hus-
 sitarum ac Wickliffistarum, necnon Hieronymi
 Pragensis damnata ac punita perfidia: Testis
 est toties contra Bobemos Germanorum sanguis
 effusus. Bull. Leonis Decimi. Concil. To. 14.
 p. 391.

Bloud

“ Bloud they have so often shed against the *Bohemi-*

“ *ans.* Wherefore, to shew the Care he bears for

“ *Christian Religion* and the Or-

“ *thodox Faith*, (e) he, with

“ his *Cardinals*, and many other

“ *Divines* most skilfull in Theo-

“ *logie*, and the most *Eminent*

“ *Professors* of both *Laws*, after

“ mature deliberation, diligent

“ examination and discussion of

“ some *Articles* cited in this

“ *Bull*, of which this is one, viz.

“ *That it is against the will of*

“ *the Holy Spirit*, that *Hereticks*

“ *should be burnt*, declares, that

“ all those *Articles* were contra-

“ ry to the *Doctrine* and *Tra-*

“ *dition* of the *Catholick Church*,

“ against the *Determinations* of

“ *Holy Fathers*, and the expresse *Ordinances* and *Ca-*

“ *nons* of *Popes* and *Councils*, which not to be obe-

“ dient to is the Cause and Nourishment of all *He-*

“ *reses* and *Schisms*. He therefore, with the Coun-

“ sel and Assent of the aforesaid Brethren, pronoun-

“ ceth all the aforesaid *Articles* to be respectively *He-*

“ *retical*, or *Scandalous*, or *False*, and contrary to

“ *Catholick Verity*, and, as such, reprobates and damns

“ them; decreeing, that all *Christians* shall look up-

“ on them as such. And he

“ (f) inhibits all *Kings*, *Empe-*

“ *rors*, *Electors*, *Princes*, *Dukes*,

“ *Marquesses*, &c. under the Pe-

“ nalty of the greater *Excommu-*

“ *nication*, to be actually incurr'd

“ without

(e) Nos igitur, —habitâ super prædictis erroribus —diligenti trutinazione, discussione, ac districto examine, maturâque deliberatione cum venerabilibus fratribus S. R. E. Cardinalibus, —pluribusque aliis S. Theologiæ, necnon utriusque Juris Professoribus sive Magistris, & quidem Peritissimis, reperimus eosdem Errores non esse Catholicos, —sed contra Ecclesiæ Catholicæ Doctrinam & Traditionem, contra Sanctorum Patrum Determinationes, Conciliorum quoque & Summorum Pontificum expressas Ordinationes seu Canones, quibus non obtemperasse omnium Hæresum & Schismatum fomes & causa semper fuit; de eorundem itaque Fratrum nostrorum consilio & assensu, —præfatos omnes & singulos Articulos tanquam respectivè hæreticos, aut scandalosos, aut falsos, & veritati Catholicæ obviantes damnamus, reprobamus, &c. ac pro damnatis, reprobatis ac rejectis, ab omnibus utriusque sexûs fidelibus haberi debere, harum serie decernimus ac declaramus. Ibid. P. 394, 395.

(f) Inhibentes sub majoris Excommunicationis latæ Sententiæ pœnis, —Regibus, Imperatoribus, Principibus, Ducibus, &c. nè præfatos Errores, aut eorum aliquos asserere, affirmare, defendere, prædicare, aut illis publicè vel occultè, tacitè vel expresse favere præsumant. Ibid. p. 295, 396.

“ without judicial proceeding,
 “ to assert, affirm, defend,
 “ preach, or publickly or se-
 “ cretly, tacitly or expressly to
 “ favor the aforesaid Errors or
 “ perverse Doctrin of *Luther*;
 “ and under the same Penalties

“ commands them personally to apprehend him, his
 “ Accomplices, Adherents, Receivers and Favorers,
 “ and to retain them till the *Pope* requires them, and
 “ then to send them to him, for which good Work
 “ he promiseth to reward them. And lastly, He doth
 “ excommunicate and anathematize all Persons of
 “ what state, degree, condition, preeminence, dig-
 “ nity or excellency soever, who any ways do hin-
 “ der the Publication of this *Bull* in their Domini-
 “ ons.

A. D. 1521. He pronounceth *Luther* a *Heretick*, *Spond. To. 2. p. 338. ad A. 1521. §. 1.*
 and declares, that all Persons of what authority, dig-
 nity or condition soever, who did patronize or yield
 him any counsel, help or favor, had incurr'd the Pe-
 nalties and Censures inflicted by the *Canons* upon *He-*
reticks, and all the other Punishments contained in his
 former *Decree*. And he commands, that they should
 every where be denounced excommunicate, anathe-
 matized, accursed, interdicted, deprived of all Ho-
 nour, Goods and Dignity, and that they and their
 Posterity should be incapable of them for the future,
 and should by all men be avoided.

A. D. 1522. *Hadrian* the Sixth excites the *Princes* *p. 348. §. 13.*
 of *Germany* to extirpate the *Hereste* of *Luther*, and
 writes Letters both to the *Secular* and *Ecclesiastical*
Princes to this effect, and particularly to *Frederick*,

L

Duke

Regibus, Imperatoribus, Electoribus, &c. man-
damus, quatenus, sub prædictis omnibus & singu-
lis poenis, ipsi, vel eorum quilibet, præfatum
Martinum, Complices, Adhærentes, Receptantes
& Fautores personaliter capiant, & Captos ad
nostram instantiam retineant, & ad nos mit-
tant, reportaturi pro tam bono opere, à Nobis &
Sede Apostolica remunerationem præmiūque
condignum. Ibid. p. 398, 399.

Duke of Saxony, in whose Dominions *Luther* dwelt, admonishing him to consider how he could answer at the *Tribunal of Christ* for cherishing a Mad-man and a Subverter of the Doctrine of the *Church*. And

(h) *Hoc tibi denunciamus in virtute Omnipotentis Dei & Domini nostri Jesu Christi, cuius in terris Vicarius sumus, nec te in presenti seculo laturum impune, & in futuro æterni te ignis expectare incendium. — quare revertimini ad Cor, & resipiscite, Tu, tuique misere seducti Saxones, nisi utrumque gladium, Apostolicum simul & Cæsareum, olim velitis experiri. Bull. Adrian. Sexti, apud Bin. To. 9. pag. 180.*

(h) “denouncing to him in
“the Name of the Omnipotent God, and the Lord Jesus Christ, that if he did
“not return to a sound Mind,
“he should hereafter be condemned to Hell Fire, and
“should not go unpunished in
“this present Word, but suf-

fer by the Sword of *Cæsar* and the *Apostles* See. And to that end this *Pope* writes Letters to the *Electors* and other *Princes* of *Germany*, and sends an Instruction to *Cheregata*, his *Legate*, how to proceed in this Matter.

p. 375. §. 24.

A. D. 1525. *Clement* the Seventh exhorts the *Senate* of *Paris* to punish the *Lutheran Heresie* sprung up amongst them, professing that he himself will spare no Diligence or Industry in that Cause.

p. 704. §. 25.

A. D. 1568. *Maximilian* grants to the Nobility of *Austria* the free Exercise of the *Augustan Confession* in their Towns, Castles and Villages, which when *Pius* the Fifth hears of, he presently sends to him the *Cardinal* of *Commendonum* to hinder it, or if he could not hinder it, to declare by the *Apostolical Authority*, that the *Pope* would inflict upon him, if he did not suddenly rescind that *Decree*, all the *Ecclesiastical Penalties* and *Execrations*, and would deprive him of his Dominions, and take care that another should be chosen *Emperor*.

A. D.

A. D. 1585. *Sixtus* the Fifth exhorts the *King* of *France*, that, being mindfull of his Oath which he had taken at his *Coronation*, *De omnibus Hæresum atque Sectarum Seminibus extirpandis*, to extirpate all the Seeds of *Hereſie* and *Schiſm*, he would effectually perform it. p. 822. §. 17.

T H E E N D.

Books lately Printed for *Thomas Basset* at
the *George* in *Fleetstreet*.

THE *History* of *Romish Treasons* and *Usurpations*; together with a particular Account of many gross *Corruptions* and *Impostures* in the Church of *Rome*, highly dishonourable and injurious to *Christian Religion*: to which is prefix'd a large *Preface* to the *Romanists*, carefully collected out of a great number of their own approved Authors: By *Henry Foulis*, B. D. late Fellow of *Lincoln-Colledge* in *Oxford*.

An

A Catalogue.

An Institution of General History, or, The History of the *World*; being a compleat Body thereof: In Two Parts; the First, from the Beginning of the World till the Monarchy of *Constantine* the Great; wherein are described the several Empires and the Contemporaries with them, all distinctly and by themselves; and yet linked together by Synchronisms: As also the Forms and Models of Governments, with the Power and Nature of their respective Magistrates, Customs, Laws and Antiquities. The Second Part containing that of the *Roman Empire*, its flourishing Condition, its middle or neutral State, and its Ruin and Downfall in the West; from the Monarchy of *Constantine* the Great, to the Taking of *Rome* by *Odoacer*, King of the *Heruli*, and the erecting of a Kingdom of *Barbarians* in *Italy*; with an Account of the Polity of the Empire, and of the several Laws of moment made during the Reigns of the Emperors both in East and West to this Period. By *William Howell*, LL. D. sometimes Fellow of *Magdalen College* in *Cambridge*.